


“The state and political struggle: strategies of repression and  
resistance in the greater Cape Town area from 1985 to 1989”

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## DECLARATION

I declare that “The state and political struggle: strategies of repression and resistance in the greater Cape Town area from 1985 to 1989” is my own work and that all the sources I have used or quoted have been indicated and acknowledged by means of complete references.

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## SUMMARY

In the period 1985 to 1989 both the state and the liberation movements sought to implement strategies of repression and resistance inside South Africa. These unfolded in the different regions of the country in unique ways. In the absence of detailed regional studies of the encounter between the two, this study examines the experience of Cape Town.

The state adopted both legal and extra-legal measures in its efforts to crush the different levels of protest and resistance directed at it. The three main levels, or 'sites of struggle', were public street protests, organisational structures, and armed actions by the underground military wings of the exiled liberation movements. The security forces directed legal and extra-legal forms of repression towards those engaged in all three of these arenas. All were identified as the 'enemy', be they civilian protester, organisational activist or underground military operative.

The large scale public street protests by ordinary civilians and activists that swept Cape Town in 1985 and again in 1989 were thus met with a police response framed by counter-insurgency thinking. Fatalities were a logical consequence. The occasional adoption of ambush tactics against civilian protesters sharply illustrates this mindset. At the same time, judicial procedures criminalised political protest and imposed punitive prison terms.

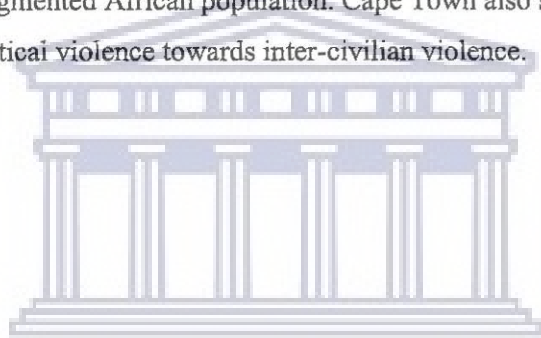
Activists and supporters of the legal opposition inside the country, principally organised through the UDF, also experienced severe forms of state repression. Both regional level leadership and rank and file were detained for varying periods under the State of Emergency. Covert hit squads from the police and defence force conducted sabotage attacks on buildings associated with the UDF.

While the state sought to smash the broad resistance movement, it also sought to win over the bulk of the population through 'hearts and minds' strategies designed to undermine the support base of the liberation movements. Counter-revolutionary theory and practice developed by the state in this period emphasised the notion of contramobilisation, in which the population itself becomes the tool and means whereby resistance is smashed.

In this regard, the state's most successful action against the UDF and ANC was the mobilisation of the 'witdoeke' based in Crossroads. Through the strategy of contramobilisation the state was able to 'win' a significant sector of the residents of the large informal settlements in Cape Town, and facilitate and support their violent attack on UDF-supporting areas in 1986. Areas controlled by the 'witdoeke' remained sealed to the liberation movements.

However, it was persons suspected of involvement in the ANC's military underground wing MK that were subjected to the most severe forms of repression. Torture of such persons was virtually standard. There is evidence that several faced summary extra-legal executions.

The picture of state repression in Cape Town is one that mirrors the national experience yet also reflects unique features that emerge from its unique demographic make up, with a Coloured majority and a small and fragmented African population. Cape Town also sharply demonstrates the drift in the nature of political violence towards inter-civilian violence.



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## ABBREVIATIONS

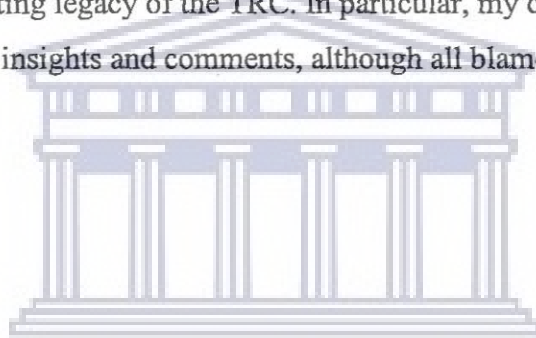
ANC	African National Congress
AZAPO	Azanian People's Organisation
BMW	Bonteheuwel Military Wing
CAYCO	Cape Youth Congress
CCB	Civilian Co-operation Bureau
JMC	Joint Management Centre
JOC	Joint Operation Centre
MK	Umkhonto we Sizwe
NIS	National Intelligence Service
NSMS	National Security Management System
SADF	South African Defence Force
SAP	South African Police
SAYCO	South African Youth Congress
SSC	State Security Council
SSSC	Secretariat of the State Security Council
TRC	Truth and Reconciliation Commission
UCT	University of Cape Town
UDF	United Democratic Front
WP	Western Province

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I am grateful to my colleagues at the Truth and Reconciliation Commission, both past and present, whose collective efforts provided the basis and inspiration for this study. They have ensured the lasting legacy of the TRC. In particular, my colleague Nicky Rousseau provided useful insights and comments, although all blame for errors is mine alone.

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it had collective common national features it can also be argued that the 'national wave' of resistance and repression was constituted of quite diverse local encounters between protagonists. Much of the texture and substance of these local encounters remains to be explored. This study considers the implementation of national strategies of resistance and repression and the particular forms and dimensions these took in the Cape Town environment – the 'flesh and bones' story of struggle and conflict.

The nature of state repression itself acted to keep this very 'texture and substance' of the revolt uncharted through, for example, its control over the media and the use of covert methods. In this sense, historical research can be seen as combating this lasting legacy of silence and concealment.

Further, local studies which identify the events, people and places that shaped the political revolt are clearly necessary in the context of the current growing enthusiasm for 'heritage studies' which give particular attention to the 'hidden history' of persons and communities previously denied a historical presence. The process of 'memorialisation' of the political conflicts of the past will demand such detailed studies. Lazarus Kgalema's article outlining the efforts at memorialisation by local East Rand communities points to the importance and perils of these processes and indirectly highlights the need for careful local research.<sup>4</sup>

The work of the Truth and Reconciliation Commission (TRC) has been a significant step forward in 'mapping' the political conflicts of the past in both its larger sweep and smaller detail. It has also highlighted the importance of regional differences in delineating the character and nature of resistance and repression.<sup>5</sup> While the essential features of both are discernable in practically each province of South Africa, each were shaped and influenced by the different local conditions and varying social, demographic, economic, and political structures. Both the scale and scope of political violence varied significantly from region to region.

A few glancing observations highlight these differences. For example, the defining feature of the Natal and KwaZulu region was the increasingly violent internecine clashes between the UDF and Inkatha, whereas a region such as the Eastern Cape saw more limited outbreaks of conflict

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<sup>3</sup> Seekings, J, *The UDF: A History of the United Democratic Front in South Africa, 1983 - 1991*, David Philip Publishers, Cape Town, 2000, page 14.

<sup>4</sup> Kgalema, L, "Symbols of Hope: Monuments as Symbols of Remembrance and Peace in the Process of Reconciliation", Centre for the Study of Violence and Reconciliation, 1999.

between the UDF and anti-UDF vigilante formations. In the former Transvaal, the impact of homeland based resistance to imposed 'independence' led to places such as KwaNdebele becoming key sites of political struggle, while homelands in other regions remained in relative isolation from the political turbulence sweeping the country. Geographical features such as the proximity of international borders in the Transvaal and Natal resulted in higher levels of MK infiltration and activity. These fleeting examples highlight the need for ongoing regional studies of the specificity of resistance and repression and the particular forms that political violence took.

Regional studies of the contours of political violence in the last twenty years have largely been confined to the former Transvaal, specifically the Reef, and Natal/ KwaZulu. This is, naturally, a reflection of the high levels of bloodshed and displacement that characterised these regions in the second half of the 1980s and the 1990s in particular. The growth of 'violence monitoring' bodies and human rights non-governmental organisations (NGOs) in the early 1990s saw a proliferation of short studies, publications and booklets on aspects of violence. State-initiated enquiries such as the Goldstone Commission of Inquiry into Public Violence<sup>6</sup> also generated publications and commentaries from bodies with more academic perspectives such as the Human Sciences Research Council. The Human Rights Committee has recently compiled a detailed publication reviewing human rights violations in the period 1960 to 1994, which it also submitted to the TRC.<sup>7</sup>

Academic analysis of the period has tended to focus on the question of political organisational development, and give primacy to the question of organised resistance. Examples of this approach would be Tom Lodge and Howard Barrell's studies of the African National Congress<sup>8</sup>, Jeremy Seekings's recent study of the United Democratic Front, and Jeremy Baskin's study of

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<sup>5</sup> See the regional studies in Volume 3, Truth and Reconciliation Commission of South Africa Report, Juta and Co, Cape Town, 1998.

<sup>6</sup> The Goldstone Commission generated numerous reports into local pockets of political violence, but its attention was largely confined to the 1990s period.

<sup>7</sup> M. Coleman (ed) A Crime Against Humanity: Analysing the Repression of the Apartheid State, David Philip Publishers, 1998.

<sup>8</sup> See for example T. Lodge, "People's War or Negotiation: African National Congress Strategies in the 1980s" in G Moss and I Obery (eds), South African Review 5, Ravan Press, Johannesburg, 1989; Howard Barrell, Conscripts to their Age: African National Congress Operational Strategy, 1976 – 1986, unpublished D.Phil thesis, Oxford University, 1993.

COSATU<sup>9</sup>. These histories of political organisation tend to engage with the human casualties of resistance and repression only tangentially through occasional statistical observations.<sup>10</sup>

A study of the features of the political revolt from 1985 to 1989, its character, dimensions and specificity to the greater Cape Town area thus does not exist in academic or more popular literature, aside from the pieces discussed below. How did the upsurge of political violence across the country from 1985 manifest itself in this specific geographical area? What were its dimensions and consequences? The thesis identifies the forms of political violence experienced in the greater Cape Town area that were, to varying degrees, common to all regions, as well as those that emerged out of the unique social composition of the region.

The TRC has been the body which has been most centrally concerned with national and regional delineations of political violence and understanding its features at an empirical and experiential level as well as the level of responsibility for perpetration. The recording and investigative work of the TRC unsurprisingly found the state to be the primary perpetrator of political violence.<sup>11</sup> This thesis considers this finding in the context of the greater Cape Town area, and thus also examines in some detail the question of responsibility for the casualties. The question of 'who did what to whom' goes some way towards examining the agency of particular groupings.

Although the TRC was a statutory intervention, it was hoped that its Report (both the existing five volumes and the forthcoming additional volumes due to be published in the year 2001) would lay the basis for more detailed studies by non-statutory researchers and investigators. The author of this thesis served as a researcher at the TRC and was responsible for writing the sections dealing with the Western Cape and other smaller sections of the Report. The work in this thesis provided the basis for those sections, and thus replicates to a large extent the TRC's Final Report, specifically the Western Cape regional profile in Chapter 5, Volume 3.<sup>12</sup> The work however in those sections and included here is the author's own, unless acknowledged as otherwise.

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<sup>9</sup> J. Baskin Striking Back: A History of COSATU, Ravan Press, Johannesburg, 1991.

<sup>10</sup> For example, Frank Molteno's study of the 1980 school boycotts in Cape Town briefly comments on two deaths but the wider context of forty two deaths that year is not reflected. F. Molteno, 1980 Students Struggle for their Schools, Centre for African Studies, UCT, 1987.

<sup>11</sup> Truth and Reconciliation Commission of South Africa Report, Volumes 1 - 5, Juta and Co, Cape Town, 1998. Chapter 6 in Volume 5 contains the broad findings of the TRC and specifically discusses the culpability of the state and its allies on pages 212 to 227.

<sup>12</sup> Other sections include Volume 2, Chapter 3, Auxilliary Forces (paragraphs 68 to 90) and Contramobilisation (paragraphs 551 to 607).

## Political and Historical Studies of Cape Town's Past

Detailed historical studies of the social, political and economic landscape of the Western Cape region and the Cape Peninsula in particular prior to the 1980s have provided some basis for understanding the social and political configuration of the period under review here. In the main, historical research into this region has predominantly focused on the pre-1970s period and has also tended to examine the historical experience of Africans and Coloureds separately. These include for example the studies by Gavin Lewis and Ian Goldin of Coloured politics and identity.<sup>13</sup> Barry Kinkead-Weekes has given attention to describing state policies and practices towards Africans in Cape Town and popular responses to the extensive impositions of controls and curbs.<sup>14</sup> Similarly, Yvonne Muthien's examination of pass laws and resistance in Cape Town delineates the African experience in Cape Town.<sup>15</sup> Hildegard Fast provides a detailed local history of Nyanga that intersects with the issues examined by Muthien and Kinkead-Weekes.<sup>16</sup> A growing field of study has been the informal settlements that existed in Cape Town prior to rigorous Group Areas enforcement, in which both Africans and Coloureds lived, such as Windemere and Blouville.<sup>17</sup> These studies have provided a useful basis for understanding the region's social and political configuration and background.

Regional attention to the greater Cape Town area in the latter half of the 1980s tends to form part of larger works on the national political picture, or of particular sectors or organisations. Perhaps the most comprehensive of these organisational studies is Jeremy Seekings's recent historical account of the United Democratic Front (UDF).<sup>18</sup> The book does provide some focus on Cape Town's political and organisational features and the strength and character of its regional UDF

<sup>13</sup> G. Lewis, Between the Wire and the Wall: A History of South African Coloured Politics, David Philip publishers, Cape Town, 1987; I. Goldin, Making Race: The Politics and Economics of Coloured Identity in South Africa, Maskew Millar Longman, Cape Town, 1987.

<sup>14</sup> B. Kinkead-Weekes, Africans in Cape Town: state policy and popular resistance, 1936 - 1973, unpublished Ph.d. thesis, UCT, 1992 as well as his M.Soc.Sci thesis Africans in Cape Town: the origins and development of state policy and popular resistance to 1936, UCT, 1985.

<sup>15</sup> Y. Muthien, Pass Control and Resistance, Cape Town, 1939 - 1965, unpublished Ph.D. thesis, Oxford University, 1989.

<sup>16</sup> H. Fast, Pondoks, Houses and Hostels: A history of Nyanga 1946 - 1970 with a special focus on housing, unpublished Ph.D thesis, UCT 1997.

<sup>17</sup> S. Field, "From the 'Peaceful Past' to the Violent Present': Memories and Identities in a South African Township", paper presented to the International Conference on Oral History, Columbia University, New York, October 1994. Also see Kwandiwe Kondlo, Miserable Hovels and Shanties on a Waterlogged Wasteland: the Political Economy of peri-urban squatting around greater Cape Town circa 1945 - 1960, unpublished M.A. thesis, UCT, 1993.

structures, as the region was a key player in the launch and subsequent activities of the Front. The question of political violence however remains a sub-theme within the book, with limited comments for example on the detentions, trials and killings of UDF leadership and the impact of these upon the organisation at regional level. The study is also not particularly directed at examining violence enacted by UDF members or supporters.

Where specific studies do exist concerning the 1980s, they have also tended to focus on the organisational features of politics in the region. For example, two studies by Bill Nasson give primary attention to delineating the various ideological tendencies in the region and their organisational expression.<sup>19</sup> A range of short studies, papers and articles have examined specific organisations or sectors, such as women's organisations, church structures, student committees and trade unions.<sup>20</sup>

Indeed, these specific studies point to the fact that specific sectors, structures and organisations played significant roles in shaping the events that unfolded in the greater Cape Town area in the period under review and require greater study. Two studies on the development of student structures and the education crises in the 1985 and 1986 period<sup>21</sup> illustrate the complexity of political developments on a more micro scale. A study of one city such as Cape Town cannot do justice to a proper analysis of these more nuanced and detailed features of the period.

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<sup>18</sup> Seekings (2000).

<sup>19</sup> See B. Nasson, "Opposition Politics and Ideology in the Western Cape" in South African Review 5, Ravan Press, Johannesburg, 1989; and "Political Ideologies in the Western Cape" in All, Here and Now: Black Politics in South Africa in the 1980s, David Philip Publishers, Cape Town, 1991.

<sup>20</sup> See for example the following publications: Mukesh Ramesh Vassen, Beyond the Barricades: the 1985 schools boycott and the vicissitudes of the Athlone Students' Action Committee (ASAC), BA (Hons) thesis, 1995, UCT; Gertrude Fester, "Merely motherhood perpetuating patriarchy?: women's organisations in the Western Cape, South Africa" paper presented to the Centre for African Studies, 6 May 1998, UCT; Devan Pillay, Trade unions and alliance politics in Cape Town, 1979 - 1985, unpublished Phd thesis, University of Essex, 1989; Roderick Neil Bray From Protest to Development: the dynamics of change at the Western Province Council of Churches, unpublished M Phil thesis, UCT, 1995; Heidi Villa-Vicencio A Critical Assessment of a Western Cape community based organisation: Churches Urban Planning Commission (1968 - 1990) BA (Hons) thesis, UCT, 1993; Anthony Egan The Politics of a South African Catholic student movement, 1960 - 1987, Centre for African Studies, UCT, 1991; Lionel Louw "The Church in the Western Cape", paper presented to the conference: Western Cape Roots and Realities, Centre for African Studies, UCT, July 1986.

<sup>21</sup> R Jordi, "Towards People's Education: Boycott Experiences in Cape Town's Department of Education and Culture high schools from July 1985 to February 1986" B.A. (Hons) thesis, UCT, 1987; and FH Nekhwevha, "The 1985 School Crisis in the Western Cape", M.Soc.Sci thesis, UCT, 1992, UCT.

Violence associated with the informal settlements in Cape Town has received some detailed attention. The definitive book by Josette Cole on *Crossroads* maps out in detail the social, historic and economic antecedents and environment in which strategies and incidents of violence took place in informal settlements in the 1970s and 1980s, up to 1986.<sup>22</sup> Similarly, Baba Ngcokoto's study on KTC squatter camp provides an analysis of the unfolding political drama in its terrain, increasingly the site of violence.<sup>23</sup>

A handful of brief studies and articles exist that consider the nature of political violence in the 1980s in Cape Town. These include an article by Colin Bundy examining youth politics through the lens of the 1985 experiences in Cape Town.<sup>24</sup> A study by Martin Hall on the 1985 revolt in Cape Town<sup>25</sup> provides much empirical detail outlining the events of that year. Glenda Kruss has described the impact of the State of Emergency in the Western Cape region in terms of acts of state and vigilante repression against resistance initiatives and individuals.<sup>26</sup>

A group of studies that does examine regional questions on political violence are those from the psychology perspective. These are less concerned with outlining the actual development of conflicts and more with their consequences for individuals and communities. Again, these are principally written around the experiences of the former Transvaal and Natal/KwaZulu regions. However, a recent publication of the Trauma Centre in Cape Town gives some attention to both the historical details of violations in the Cape in examining their psychological consequences.<sup>27</sup> It indirectly casts light on the regional experience of political violence.

Some analytical attention to the question of Coloured political and cultural identity was provoked by the results of the 1994 general elections in the Western Cape which saw the National Party win the province largely on the support of Coloured voters. This has taken the form of studies of

<sup>22</sup> Josette Cole, *Crossroads: The Politics of Reform and Repression*, David Philip, Cape Town, 1987.

<sup>23</sup> B. Ngcokoto "The day KTC became Cape Town's Beirut: African squatter struggles in Cape Town, 1983 - 1986" paper presented to the Wits History Workshop entitled "Structure and Experience in the making of Apartheid", 1990.

<sup>24</sup> C. Bundy, "Street Sociology and Pavement Politics: Some Aspects of Student/Youth Consciousness during the 1985 Schools Crisis in Greater Cape Town" in *Journal of South African Studies*, 13, 3, April 1987.

<sup>25</sup> M. Hall, "Resistance and Rebellion in Greater Cape Town, 1985", Paper presented at the conference on the *Western Cape: Roots and Realities*, University of Cape Town, July 1986.

<sup>26</sup> G. Kruss, "The 1986 State of Emergency in the Western Cape" in *South African Review* 4, Ravan Press, 1987.

<sup>27</sup> D. Skinner, *Apartheid's violent legacy: a Report on Trauma in the Western Cape*, Trauma Centre for Victims of Violence and Torture, Cape Town, 1997.

Coloured identity, albeit in more popular than academic forms. In the words of Wilmot James at a conference devoted entirely to this question, “In the dying decade of apartheid, activists drawn from the Coloured community, mainly younger people, participated in the progressive structures of the day to dismantle apartheid, and were treated by a severity of political repression at least equal to that handed down to all opponents of the system. The irony is that historical memory did not translate into widespread votes for the ANC, the dominant party of liberation, but for the erstwhile party of oppression.”<sup>28</sup> The conference papers grappled with questions of Coloured identity primarily through dwelling on current crises of insecurity. They refer only obliquely to the historical experience of Coloureds in the region.

This thesis seeks to supplement these varied studies on aspects of Cape Town’s past. In this sense, it forms part of a growing body of historical study of the Western Cape region and Cape Town in particular. Within this patchwork of concerns - organisational, ideological, historical – it is a further contribution to documenting and analysing the experience of Cape Town’s citizens. It is not a comparative study, but it may provide the empirical and analytical basis for further regional comparative work.

### **The Greater Cape Town area<sup>29</sup>**

The population estimate for the whole Western Cape<sup>30</sup> in 1995 was 3.9 million people, comprising around 9 per cent of South African’s total population. The Western Cape is the province with the second highest degree of urbanisation (85%). Seventy two per cent of the total Western Cape population live in the greater Cape Town area, being 2,9 million people.<sup>31</sup>

The composition of population groups in the Western Cape is markedly different from the rest of the country. The demographic composition of this was as follows in 1995: Coloureds made up 57 per cent, whites 24 per cent, Africans 18 per cent and Asians 1 per cent. The major languages are Afrikaans (62.2 % home language), English (20%) and Xhosa (15,3%).<sup>32</sup>

<sup>28</sup> W. James, “Making Sense of the Coloured Vote” paper presented at the IDASA conference on National Unity and the Politics of Diversity in the Western Cape, 19 August 1995, Cape Town.

<sup>29</sup> Due to the different types of statistics available for different years, it was decided to focus on 1995 statistics for which significant data was available. The population figures would therefore be slightly higher than in the period 1985 – 1990, although the proportions do not differ significantly.

<sup>30</sup> The term Western Cape refers to the post-1994 provincial boundaries.

<sup>31</sup> Wesgro Development Data, (1995).

<sup>32</sup> Central Statistical Service (CSS), Living in the Western Cape: Selected findings of the 1995 October household survey, 1998.

The largest economic sector is manufacturing, forming 23, 1 percent of the Gross Geographic Product, followed by commerce and tourism.<sup>33</sup> With little heavy industrial development, light industries predominate, such as textiles and food processing with small factories. The textile industry is one of the largest single employers. This industry is currently declining with numerous job losses. Only 57 per cent of the labour force is engaged in the formal sector; the remainder work in the informal sector, or are self- or unemployed.<sup>34</sup>

While the Western Cape region as a whole has the highest Human Development Index (0,826) in SA<sup>35</sup>, it is marked by extreme inequalities between the race groups. A number of features distinguish the political and social terrain of this region from the rest of the country: Firstly, as indicated above, it has a unique demographic profile with a Coloured majority and an African minority. This resulted largely from a distinct formulation of apartheid policy declaring the Cape a Coloured preference area and extreme social and spatial engineering through the Group Areas Act. The African minority was thus ruthlessly policed through both influx control legislation and the Coloured Labour Preference Policy (CLPP). As a consequence, significant cleavages existed amongst Africans between rural migrants and urban residents.

Apartheid's social engineering in the old Cape Province took a particular form. It attempted to construct a region accommodating only whites and Coloureds with no permanent African population. A number of mechanisms were used to achieve this.

During the 1940s and 1950s in Cape Town, Africans were removed from mixed communities and resettled in Langa (built 1927) or the newly built township of Nyanga (1946) and Guguletu (1959).<sup>36</sup> All 'legal' Africans in Cape Town were strictly confined to these three townships. After the establishment of Nyanga and Guguletu, no further family houses for Africans were built.<sup>37</sup> Only 'single sex' hostels for migrant contract workers were subsequently developed. The housing policy was thus a key mechanism to police urban Africans.

<sup>33</sup> CSS Provincial Statistics 1995, Western Cape, CSS Report No. 00-90-01 (1995), page x.

<sup>34</sup> Wesgro (1995).

<sup>35</sup> This was the case in the period 1980 – 1991. The CSS notes that the components of the HDI can be expected to change significantly only gradually over a period of years or even decades. CSS, Human Development Index (HDI) for the RSA: 1980 and 1991, Statistical Release P0015, 8 May 1995.

<sup>36</sup> Muthien (1989) outlines the process of removals from a range of squatter areas.

<sup>37</sup> H Fast, "An Overview of African settlement in the Cape Metropolitan area to 1990", Occasional Paper No. 40, Urban Problems Research Unit, University of Cape Town, 1995, page 37.



The Coloured Labour Preference Policy (CLPP) was introduced in 1955 and extended in 1967, as a form of labour control and allocation. It established the Western Cape up to Port Elizabeth as a Coloured population preference area, the 'natural home' of the Coloured people. Also known as the Eiselen Plan, this policy envisaged the removal of all Africans from this area and preferential employment of Coloureds. Africans could only be employed with state permission, and had to register at labour depots for employment allocation.<sup>38</sup>

A battery of influx control legislation classified all Africans as legals, illegals, or temporary contract workers and issued them with passes accordingly. These pass laws were exercised more stringently in the Western Cape than anywhere else, particularly towards women.<sup>39</sup> 'Illegals' were removed to the Transkei and Ciskei. Removals to the homelands remained a feature of control until the late 1980s, particularly with the re-emergence of squatter camps during the 1970s and 1980s. With the 'independence' of Transkei (1976) and Ciskei (1981), virtually the entire African population of the Western Cape lost South African citizenship. Political rights for Africans were 'transferred' to these homelands.

Despite these efforts, the state was unable to stem the flow of Africans into the Western Cape whose numbers grew steadily as is evidenced by the growth of informal settlements from the 1970s. The scrapping of the CLPP in 1985 and influx control in 1986 also enabled this urban drift. Nevertheless, the above policies have resulted in an African minority in the Western Cape, a minority strictly policed, severely impoverished and under-resourced in terms of housing, education, skills training and employment.

These policies also affected social relations amongst Africans themselves, drawing sharp distinctions between the 'legals' and 'illegals', or Cape born people ('istena') and migrants ('amagoduka'). The hostel system isolated migrants from political organisational developments and allegiances emerging in the urban townships. Migrants living in hostels and squatter camps replicated many of the social features of rural Transkei/Ciskei such as headmen, collective taxation and communal courts. These forms of social organisation, the domain of older males, did not mesh easily with the new brand of UDF-affiliated militant urban youth and women's organisations prominent in the Western Cape. Amongst squatters themselves, conflict developed

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<sup>38</sup> Goldin, (1987), page xiv.

between those who chose to align themselves with liberation movements and those who wished to access the patronage of the state. The resulting social cleavages were the underlying cause of much political conflict.

The CLPP did not mean that the Coloured community escaped the effects of apartheid. On the contrary, the Coloured community faced devastating forced removals under the Group Areas Act.<sup>40</sup> Over 80 000 families or 500 000 people were affected or moved in terms of this legislation, most of whom were residents of Cape Town.<sup>41</sup> District Six was perhaps the most infamous example. The sprawling outlying townships of Mitchell's Plain, Hanover Park and later Atlantis were to house many of these dislocated families.

In addition to the emotional impact, families suffered material losses due to lack of compensation for the expropriations. The social disruption experienced by removed communities was a significant cause of the high level of gangsterism across the Cape Flats.<sup>42</sup> The 1976 Theron Commission detailed the ongoing impoverishment of Coloured communities, finding that over one third of all Coloured families lived below subsistence income levels.<sup>43</sup>

### **Politics and Organisation in Cape Town**

Prior to 1960, Cape Town did not have a particularly strong historical tradition of mass struggle, but it had a developed tradition of political ideological diversity. The city has long been home to a wider range of political groupings and ideological approaches than elsewhere in the country. Organisations in the Charterist/Congress tradition, principally the ANC, were based upon building a popular front encompassing a wide range of classes and interest groupings. The Freedom Charter provided the basic ideological orientation, stressing non-racialism.<sup>44</sup> From

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<sup>39</sup> Muthien (1989) describes the development of the pass law policy, commenting that '(t)he Cape Peninsula ... was at the forefront of the extension and enforcement of the pass laws.'

<sup>40</sup> Centre for Intergroup Studies, Group Areas, UCT, Occasional paper No. 7, 1983.

<sup>41</sup> Centre for Intergroup Studies, (1983).

<sup>42</sup> See for example, D. Pinnock, "Breaking the Web: Economic Consequences of the destruction of extended families by Group Areas relocation in Cape Town" Carnegie Conference Paper No. 258, April 1984. His study of gangsters on the Cape Flats makes these points in more detail. D. Pinnock The Brotherhoods: Street Gangs and State Control in Cape Town, David Philip Publishers, Cape Town, 1984.

<sup>43</sup> Report of the Commission of Enquiry into matters Relating to the Coloured Population Group, chaired by Prof E Theron, 1976, RP/ 38/1976.

<sup>44</sup> T. Lodge & B. Nasson, All, Here, and Now: Black Politics in South Africa in the 1980s, David Philip Publishers, Cape Town, 1991, page 213.

1983, the UDF was the dominant proponent of this approach in the absence of the banned liberation organisations.

Pan Africanism and Black Consciousness have similarly had a strong presence in Cape Town and its surrounds. The PAC has had a stronger historical presence in the Western Cape than elsewhere in the country, particularly in the early 1960s. Qibla, a radical Islamic movement formed in the 1980s was influenced by Pan-Africanist thinking. Azapo had a small presence and was a key player in the 1980s formation of the National Forum, a front with similar goals and origins to the UDF.<sup>45</sup>

A more radical socialist tradition can also be traced. There is a long tradition of Trotskyism in the Cape as an independent, socialist movement. The New Unity Movement, the Cape Action League (CAL) and Students of Young Azania (SOYA) and the Federation of Cape Civics are included in this tradition.<sup>46</sup>

Despite this array of left leaning organisations, it was the UDF and ANC and its activists and supporters who would experience the lion's share of state repression and violence, while also being the chief perpetrators of political violence directed towards the state and its perceived representatives and supporters.

Cape Town was also home to those who chose the 'politics of participation' or what the left preferred to term collaboration. The Labour Party, formed in 1965 with roots in radical politics, was to draw increasingly closer to government participation, ultimately joining the Tricameral Parliament in 1983.<sup>47</sup> Conservative groupings and individuals in both Coloured and African townships also participated in co-optive government structures, such as the Coloured Person's Representative Council (1960s), Community Councils and Management Committees (1980s). With the power to allocate state resources, these bodies and individuals succeeded in establishing some level of support. Deep political divisions existed between 'collaborationists' and opposition movements.

During the 1960s and 1970s, the Peninsula largely matched the national picture of political activity. As elsewhere in the country, organisations and protests in the Peninsula were silenced in

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<sup>45</sup> Lodge & Nasson, (1991), page 210.

<sup>46</sup> Lodge & Nasson, (1991), page 210.

the 1960s. The 1970s saw the emergence of SASO and associated Black Consciousness activity amongst African and Coloured students in the Peninsula. The Peninsula experience of the 1976 revolt and the 1980s school boycott protests showed unprecedented militancy amongst Coloured communities and solidarity with Africans, although levels of organisation were still weak. Cape Town experienced the second highest and highest levels of casualties in the country in 1976 and 1980 respectively.

Trade union activity also re-emerged in the Western Cape with the General Workers Union in the early 1970s initiated by NUSAS activists.<sup>48</sup> In the late 1970s and 1980s union activity proliferated. The year 1980 became a turning point for organisational development after pockets of activity mushroomed around a series of local issues: the red meat strike, the Fattis and Monis strike, the bus and school boycotts.<sup>49</sup> The proliferation of grassroots organisations provided the core of affiliates for the UDF, launched in Cape Town in 1983.<sup>50</sup> In the period 1983 and 1984, the formation of the UDF and political campaigns against state-run elections dominated the political environment, with limited numbers of accompanying detentions.

Political campaigns also developed around the newly formed informal settlement at KTC. The emergence of this new squatter camp attracted security attention from the state and further resistance, resulting in multiple arrests, shack demolitions, deportations to the homelands and other repressive actions.

The relationship between this fairly rapid increase in organisational development and the mid-1985 explosion of resistance in the Western Cape is one that requires a more detailed study. During 1985, the political revolt unfolding in the rest of the country reached the Western Cape. The first six months of 1985 saw the rural areas of the South Cape, the Karoo and the Boland, and the Northern Cape experience extensive unrest while the urban Peninsula did not seriously erupt until the second half of the year. The months August to November in the Peninsula saw the largest scale popular revolt yet in Cape Town with extensive killings and injuries relating to 'public unrest'. Protest action in 1985 encompassed both Coloured and African areas, demonstrating a peak of solidarity and joint action.

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<sup>47</sup> Goldin, (1987) describes the evolution of the Labour Party in some detail.

<sup>48</sup> Baskin, (1991), page 19.

<sup>49</sup> Moltano, (1987), pages 96 – 100.

<sup>50</sup> Pillay, (1989); Seekings, (2000).

With some notable exceptions, the high levels of open street confrontation seen in 1985 and 1986 generally subsided during 1986. Large numbers of State of Emergency detentions of both organisational leadership and rank and file membership from June 1986 also resulted in lower levels of political protest activity. Violence in 1987 and 1988 relates largely to the activities of the 'special constables', detentions and torture, killings of underground operatives, and the ongoing skirmishes between pro- and anti- government squatter leaders.

The 1988 restriction of UDF affiliates further constrained any organisational activity and mobilising campaigns. However, in 1989 the Western Cape played a leading role in the Defiance Campaign and initiated support for the hunger striking detainees and prisoners. This resurgence of popular protest was matched by a rise in violence, peaking with the killings and injuries around the 'whites-only' election of September 1989.

The particular demographic features of the Peninsula resulted in certain unique forms of political activity and conflict. Firstly, the high level of Coloured militancy and participation in the surges of both public and underground resistance activities is marked in this region. A particular manifestation was the emergence of a semi-underground para-military youth structure known as the Bonteheuwel Military Wing.

Secondly, one of the key sites of violations in the Peninsula were the informal settlements in and around the formal African townships of Cape Town, accounting for around 120 deaths in the period 1985 to 1989. The extreme violence of 1986 relate to the conflicts between the 'witdoeke' and the UDF-aligned comrades and the enduring political divisions these created within the informal settlements of Cape Town.

### **Resistance and Repression in Cape Town, 1985 to 1989**

Political protest and resistance in Cape Town from 1985 to 1989 took place in three broad spheres. Each challenged the legitimacy of the state in different yet connected ways. The following three chapters focus on each of these three 'sites of struggle' and examine the response of the state and its security organs to these specific form of protest and resistance.

Firstly and perhaps most overtly, resistance took the form of public protest and public violence in the streets, towns and townships. This was manifested largely in marches and demonstrations,

sometimes accompanied by more militant protest such as stoning and petrol bombing. At a less public level, this form of protest was supplemented by attacks by civilian protesters on properties and persons identified as targets of protest, usually due to their perceived links to the state. These attacks are characterised largely by the use of informal weaponry. Chapter Two examines the unfolding of these events in the greater Cape Town area in the period under review.

Secondly, closely linked to the first, is the terrain of organisation, where campaigns and strategies directed at undermining the structures and authority of the state were adopted and enacted by activists and supporters of the liberation movements through their organised formations such as the UDF and its affiliates. Chapter Three provides some analysis and commentary on the actions taken by the state to contain and crush organisational structures, their activists and campaigns.

Thirdly, in this period the underground armed formations of the exiled liberation movements undertook attacks on a range of targets, including properties and persons. These attacks usually involved the use of formal weaponry such as guns and explosives. Chapter Four examines the scale and nature of these actions and the features of security force repression directed towards those the state believed responsible for them.

Identifying these 'sites of struggle' separately does not intend to imply that no links and overlaps existed between them. Each of these forms of protest and resistance involved both common and different forms of mobilisation and common and different role players. Clearly, the overlap between organisation and public protest is extensive, although not complete, as is discussed in Chapter 2 and 3.

From the perspective of the state, there was little differentiation between them. All were identified as component parts of the revolutionary onslaught directed against the state. Civilian protester and underground military operative were viewed on the same continuum and the strategies of repression adopted to counter them included basically the same framework of assault, detention, torture and killings.

The strategic directives of the state however were not oriented purely towards direct repression. Throughout the 1980s, and particularly in the latter half, counter revolutionary principles were discussed, planned and implemented that emphasised undermining the revolutionary or resistance movement through strategies of co-option, counter-mobilisation and targeted development. The

National Security Management System operationalised hundreds of Joint Management Centres and Joint Operational Centres, as well as their sub-structures such as the Joint Intelligence Committees, the Security Committees, Communication Committees and Welfare Committees. These structures sought to crush the revolutionary threat while building support for the state through welfarist strategies.

At a national level, the NSMS was divided into two arms – the Security arm and the Welfare arm<sup>51</sup> which embodied the twin track strategy of eliminating the enemy while winning over the bulk of the population. A State Security Council (SSC) operational guide to the JMC structures opens with the well-known quote by General Templar, chief strategist in the Malaysian conflicts: *“Any idea that the business of normal civil Government and business of the Emergency are two separate entities must be killed for good and all. The two activities are completely and utterly inter-related.”*<sup>52</sup>

These broad state strategies and structures are described in detail in other literature that considers the security strategies of the state, and are not the focus of this work.<sup>53</sup> Neither does this study examine in any detail the JMCs and their sub-structures in Cape Town. However, the strategy of contramobilisation and its successful implementation in certain areas of Cape Town through the promotion of the Witdoek vigilantes is examined in some detail. The successful co-option of several leaders of informal settlements and the resulting violence highlights the manner in which the hand of the state in internecine conflict, or so-called ‘black-on-black’ violence, was concealed in the period under review.

Political violence is an indicator, albeit one of many, of the forms of political struggle that took place in the Cape Peninsula. Naturally, it is not a gauge of levels of organisation or of political consciousness, and it cannot define the full nature of the encounter between the state and those in the broad liberation movement camp. But it is an indicator of other questions equally pertinent to the experience of the 1980s. Who chose to participate? Who was identified as the ‘enemy’?

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<sup>51</sup> TRC Report, Volume 2, Chapter 1, page 29.

<sup>52</sup> Looseleaf document entitled “Handleiding SVR” from the SSC collection, National Archives, Pretoria, no date.

<sup>53</sup> A body of literature exists which examines the NSMS principles, strategies and structures in more detail. See, for example, the unpublished Phd thesis by RM Williams, Beyond the Barracks: The Changing Parameters of Civil-Military Relations under the PW Botha Administration, University of Essex, 1992.

Against whom was the weight of state repression directed? What strategies, on all sides, resulted in violence, intended or unintended? What was the human cost of the 1980s? Who actually died?

The popular depiction or memory of this period in the Peninsula varies considerably as a time of unadulterated police violence, of massive levels of street protest and of persistent upsurges of internecine 'black-on-black' violence. A closer study reveals some surprising features. For example, although the ongoing climate of repression created a sense of political siege, periods of police killings were relatively confined. Further, while 1985 and 1986 saw hundreds detained, this number had shrunk to less than fifty by the later 1980s. A close study, therefore, has the capacity to create a clearer picture and challenge certain myths. For example, almost no liberation movement leadership figures in the Peninsula were killed. Aside from a handful of youth who were members of youth organisations and the elimination of certain MK members, those who died were ordinary citizens who were mobilised through the calls of political organisation or who found themselves unintentionally caught in street confrontations. Even the casualties of armed attacks by the liberation movement often tended to be unintended victims. These are some of the perhaps surprising insights that emerge from a closer study.

While episodes or periods of violence in the Peninsula are situated briefly within their political context - the campaign, the issue at hand - this study does not attempt to integrate this into a wider consideration of organisational development within the region. The ebb and flow of organisational structures and the debates around methods of organising resistance are outside the scope of this thesis. This is without a doubt its central weakness, but it is one which others may attempt to amend.

A strong concern of this thesis is also to 'name' as widely as possible, to gather together the names of as many people, ordinary individuals, citizens of the Peninsula, who died in the course of political conflict. This was done mainly through perusal of mortuary records<sup>54</sup>, newspapers and police records. The price paid by these ordinary citizens is not generally recorded in academic studies. Nowhere are all their names recorded, except in the dusty mortuary registers stored in an outside storeroom at the Salt River mortuary in Cape Town or in forgotten and filed inquest

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<sup>54</sup> To compile a complete and final list would require the perusal of the relevant case dockets at police stations as well, a task that was not done here.



records. An appendix of the names gathered is included at the end of this study, although it is by no means complete. Any person who died, on any side of the conflict, is named.<sup>55</sup>



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<sup>55</sup> This appendix of names should not be regarded as complete.

## CHAPTER 2

### PUBLIC PROTEST: PUBLIC ORDER POLICING BY THE STATE

*[The communists] prefer to foment domestic grievances – real as well as imagined – and to instigate the country's inhabitants to full-scale insurrection and revolution.*<sup>56</sup>  
Major-General AJ Wandrag, head of the SAP's Counter-Insurgency and Riot Control Units, expressing his view on the origins of unrest in 1985.

This chapter examines the unfolding of public protest action in the greater Cape Town area and the state's response in the period between 1985 and 1989. In brief, the years 1985, 1986 and 1989 saw the highest levels of public street protest and 'unrest' in the greater Cape Town area. The most significant period was undoubtedly 1985.<sup>57</sup> Incidents in 1986 relate predominantly to the conflicts within the African townships around informal settlements. Thereafter a protracted lull in public protest began that would last until early 1989. In the intervening years of 1987 and 1988, street protest was episodic, small scale and often linked to local issues. Small scale and semi-organised militant formations such as the 'Bonteheuwel Military Wing' sustained pockets of ongoing 'public violence' in certain areas. The environment of repression created by the State of Emergency through detentions, restrictions and trials largely drove protest actions off the streets. While the 1989 protests under the banner of the Defiance Campaign mobilised large groups of people, they were framed largely as organised passive resistance in marches, demonstrations and symbolic actions. However, several street protests did see deaths and injuries from police shootings, particular on Election Day in September.

These forms of street protest included marches, demonstrations, street barricades, and the stoning and petrol bombing of vehicles, properties and even persons. Examining protest and police response in that order does not in any way intend to suggest that the police role in this form of protest was that of 'respondent' or defendant. In most instances it was the security forces who acted as aggressor and triggered a cyclical response at local level. Legitimate peaceful protest,

<sup>56</sup> Cited in G. Cawthra, Policing South Africa: The SAP and the Transition from Apartheid, David Philip Publishers, Cape Town, 1994, page 30.

<sup>57</sup> Martin Hall's article "Resistance and Rebellion in Greater Cape Town, 1985" presented at the Western Cape: Roots and Realities conference, University of Cape Town, July 1986, outlines the

even around social as opposed to directly political issues, was met with a disproportionate police response resulting in casualties, which escalated the level of social protest into greater militancy, drew a harsher police response, and so on. The manner in which police action itself triggered unrest is exemplified in the events surrounding the Pollsmoor March, discussed below.

The chapter also gives some attention to particular forms of violent protest that resulted in injuries and deaths. These forms include stonings, necklacings and so on – in essence, inter-civilian attacks as opposed to clashes involving the security forces.

To separate an examination of public protest activities from a similar examination of state repression of organisational structures (as follows in Chapter 3) begs the question of the relationship between organisational structures and public protest. Such a separation seems to imply that the two are unrelated. Clearly this is not the case. The unfolding of public protest is without a doubt intimately linked to the question of organisational strength and campaign work. Yet it is also clear that some of the waves of street protest that swept Cape Town in 1985 had a degree of spontaneity and constituted a genuine popular revolt. This is less true for the protests of 1989, which were almost entirely organisationally driven. This question is discussed further in the following chapter. However, the state structures and strategies directed at crushing forms of street protest were distinct from those directed at organisational structures. This provides the most compelling reason to examine these two phenomena separately.

State response to street protest took mainly the form of 'public order policing', then called riot or unrest control. While this cannot be called a 'covert' activity, it must be noted that the imposition of media restrictions on press coverage of police actions in late 1985 under the State of Emergency regulations led to even public order policing becoming a form of repression kept out of the public eye.

### **Background to public order policing**

Three previous periods of 'riot control' in 1960, 1976 and 1980 had yielded fatalities and injuries amongst civilian protesters in the Cape Peninsula. In 1960, the pass law protests on 21 March

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course of events in 1985 in Cape Town in great detail. This section draws substantially from Hall's article.

saw a crowd of thousands in Langa dispersed by police resulting in three deaths.<sup>58</sup> Injuries were significantly more numerous than this - newspapers confirm at least 46 people were admitted to hospital with serious shooting or other injuries.<sup>59</sup>

The 1976 revolt was picked up with marked severity in Cape Town from August to December. The number of deaths in Cape Town was estimated by the Cillié Commission to be 137, being 108 deaths from police shootings, and 29 by other individuals, mainly associated with the migrant worker backlash in December 1976.<sup>60</sup> The deaths were fairly evenly distributed between the African and Coloured townships. Of the 108 people shot dead by police in the Peninsula, 53 were Coloureds and 55 Africans.<sup>61</sup>

The 1980s school boycotts were initiated in April in the Western Cape before spreading to other parts of the country. Conflicts with security forces escalated in Cape Town and continued for several months resulting in around 42 deaths.<sup>62</sup> Hundreds were injured.

Inquests into the deaths of those killed in both 1976 and 1980 did not find any police personnel responsible for any criminal conduct and no prosecutions ensued. There was thus no precedent of censure from state or judicial authorities regarding security force conduct in public order policing. This pattern of judicial absolution continued in the 1980s, with few exceptions.

The security context in which the police practiced public order policing in the 1980s was one that tended to equate social protest with forms of insurgency and the policing of protest with war. As the TRC Report comments, the overall tendency was to see crowd control and anti-terrorist action through the same lens and to characterise crowd control as a para-military function.<sup>63</sup> A

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<sup>58</sup> The three killed were Cornwell Tshuma, Leonard Mncube and C. Makiwane. Cape Times 29 March 1960.

<sup>59</sup> Cape Times 22 March 1960. A Cape Times newspaper driver, Richard Lombard, was also killed by the crowd in the disorder that broke loose after the shootings. Eighteen month old Boyi Manjathi, who was shot and killed by a naval guard on 1 April 1960 in Nyanga while a passenger in a vehicle at a roadblock. TRC statement CT00728/FLA.

<sup>60</sup> Report of the Commission of Inquiry into the Riots at Soweto and Other Places in the Republic of South Africa, chaired by the Hon. Mr Justice PM Cillié, RP 55/1980, 1977. An appendix supplies the names and details of the deceased. The report generally absolves the police of responsibility for the unrest deaths and frequently refers to the 'skollie' element in the protesters.

<sup>61</sup> See Appendix for a list of names of the deceased.

<sup>62</sup> See Appendix for a list of names of some of the deceased. The names were gleaned from contemporaneous newspaper reports.

<sup>63</sup> TRC Report, Volume 2, Chapter 3, paragraph 50. The following overview of the legal framework of public order policing draws substantially from a submission to the TRC in 1998 by J.

University of South Africa (UNISA) Police Science Study Guide in use as late as the early 1990s stated that the principles of crowd control are 'based on principles of warfare'. Riot control was seen as a form of counter-insurgency. The UNISA text stated that "urban terrorists work in a number of way .... (including) inciting general unrest. The task of the police in combating terrorism is considerably complicated by the expansion of this new phenomenon."<sup>64</sup> In this context, even civilian protest around very specific social problems (high rentals, for example) was regarded as a security threat requiring a security response.

Indeed, any form of public gathering that constituted a political challenge in the eyes of the state was deemed illegal. The Minister of Justice was empowered through various pieces of legislation to prohibit public gatherings, inter alia sections of the Riotous Assemblies Act 17 of 1956, the Suppression of Communism Act 44 of 1950, and later the Internal Security Act of 1982, as well as the Public Safety Act and the Gatherings and Demonstrations Act. In 1976 the Minister of Justice imposed a blanket ban on all outdoor gatherings without permission of the Minister or a magistrate. This ban, which excluded sporting and religious activities, was renewed annually until April 1991. All of these and other laws enforced a framework in which citizens were constrained from assembling in any public gathering and enabled the police to disperse such gatherings. Public protest was thus criminalised.<sup>65</sup>

The Riotous Assemblies Act 17 of 1956 and the Internal Security Act 74 of 1982 specified that police could use force only after a senior police officer had given a warning to disperse to the persons gathered and that the force used should be appropriate to the threat or need. Lethal force should be resorted to only after other means had been used with no success, or if death, serious injury or damage to valuable property had occurred, or seemed likely to occur. Notably, all the above measures clearly proposed that dispersal was the only option for dealing with gatherings.

The Emergency regulations gave police officers the power to use force against anyone whom they deemed to be a danger to public order or safety. An oral warning was all that was required prior

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Rauch and D. Storey "The Policing of Public Gatherings and Demonstrations in South Africa, 1960 - 1994".

<sup>64</sup> UNISA KRPOL4-B/1 page 47, cited in Rauch & Storey (1998).

<sup>65</sup> More detailed information regarding the legislative framework governing the policing of public order can be found, for example, in Cawthra, (1994). Volume 2, Chapter 3 in the TRC Report provides an overview from paragraphs 56 to 67.

to taking such action.<sup>66</sup> Further, members of the security forces were protected by an indemnity clause in the Public Safety Act 3 of 1953 which “amount(ed) to a conferring of a broad discretion to kill or injure without legal consequences. The onus on the victim to show that a policeman acted in bad faith when he fired recklessly into a crowd, or failed to fire a warning shot, or neglected to use less drastic forms of ‘coercion’, is nearly insuperable.”<sup>67</sup> Members of the security forces were also able to draw upon the right to use deadly force to effect an arrest, as well as to protect persons or property. Thus the official environment for public order policing was one which endorsed the shooting, fatal or otherwise, of civilian protesters.

Security force action took the non-lethal form of baton charges with sjamboks and teargassing, and the more lethal form of birdshot and buckshot ammunition used against protesters, most of whom were unarmed.<sup>68</sup> Rubber bullets were also extensively used which resulted in several fatal injuries.

There was therefore in official terms a designated escalation of methods of riot control to be used. These were generally followed in areas such as the city centre and white suburbs. However, in the African and Coloured townships, the higher death toll and injury numbers indicate that sharp ammunition was extensively used.

Those killed by police during street protests were overwhelmingly ordinary community members, residents, ground level activists or simply members of a crowd, as opposed to high profile political activists or even local community leadership figures. Some appear to have been bystanders or passers by caught up unexpectedly in street conflict. The street protesters were in the main youth, often school students or unemployed persons. As a consequence the age of those killed tends to cluster around the early twenties. One study of 87 persons killed in civil unrest situations in 1985 identified the mean age as 23,2 years.<sup>69</sup> In this region, not a single regional

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<sup>66</sup> Hansson, DS “Trigger-happy?: An evaluation of Fatal Police Shootings in the Greater Cape Town area from 1984 to 1986” in Policing and the Law, Faculty of Law, UCT, Juta and Co, 1989, Cape Town, page 119.

<sup>67</sup> N Haysom, “Licence to Kill Part 1: The South African Police and the Use of Deadly Force”, SAJHR 3, 1989, page 6.

<sup>68</sup> Hall, (1986), page 20, notes that shotgun pellets were twice the size of those used in countries such as the United States.

<sup>69</sup> JALC Duflou, “A study of 93 deaths from gunshot injuries during security force action in the Greater Cape Town area, 1985” in South African Medical Journal, Volume 70, 19 July 1986, page 89.

UDF leadership figure can be identified as having been killed in episodes of public order policing, although there are several cases of local youth organisation members being shot dead.

The maximum use of force in dealing with public protest had long been endorsed at a political level by the state. For example, the Minister of Police, Jimmy Kruger, reported at the Cabinet meeting of 10 August 1976 that unrest in Soweto was continuing and that the children were 'well-trained.' The Minister proposed that "this movement must be broken, and the police should perhaps act a bit more drastically and harshly, bringing about more deaths." His proposal was approved.<sup>70</sup>

Similarly, the 1985 minutes of a meeting held by structures of the Joint Security Staff (the national Joint Management Centre) on 2 May state as follows:

*"Recommendation: proposed action against ringleaders*

- i. *The feeling of this JIC [Joint Intelligence Committee] is that before a riot situation can be effectively defused, the ringleaders must be selectively eliminated.*
- ii. *The idea around elimination is twofold:*
  1. *The physical gunning down of leaders in riot situations who make themselves guilty of Annexure 1 offences. ...."*<sup>71</sup>

This combination of political approval, legal absolution and absence of legal constraints is reflected in the fact that few amnesty applications were submitted to the TRC in any region for what could be termed 'public order policing' actions by members of the security forces. The exceptions are the Bisho Massacre in which 29 ANC members and one CDF soldier were shot and killed by members of the Ciskei Defence Force (CDF)<sup>72</sup> on 7 September 1992, and an isolated case in Worcester where the TRC discovered that although an inquest had found a policeman responsible for the death of William Dyasi, no prosecution had taken place. The SAP member involved hastily submitted an amnesty application to the TRC for the killing.<sup>73</sup> These constituted the only amnesty applications for public order policing incidents. This probably reflects the confidence among SAP members that their actions in this field were both legally and politically legitimate.

<sup>70</sup> TRC Report, Volume 2, Chapter 3, page 175.

<sup>71</sup> Minutes of a GVS-GIS meeting held at SAP head office Pretoria on 2 May 1985, in the SSC collection, File 22/3/1/12, National Archives, Pretoria.

<sup>72</sup> Two CDF soldiers applied for amnesty for their role in the shootings, viz. VA Mkosana (AM4458/96) and MT Gonya (AM7882/97). The TRC refused their applications.

<sup>73</sup> Michael Phillip Luff's application for amnesty (AM3814/96) for the killing of William Khotso Dyasi (CT00823/BRE) was refused by the TRC.

## Security Force Structures engaged in Public Order Policing

The essential security components used by the state for the dealing with the increasing political activity and resistance in the public arena were the police (SAP), the South African Railway Police (SARP) and the South African Defence Force (SADF). Primary responsibility for public order policing lay however with the SAP. Each police division had a Riot Unit, and during the peak years of political unrest in the 1980s, special national teams were constituted which could be deployed rapidly to different regions.

The SAP's Riot Unit in the Western Province division was under the overall command of Lieutenant-Colonel WS Visser for significant periods and was commanded in the field by Major CAJ 'Dolf' Odendal. Odendal became a well known figure on the scene of unrest.<sup>74</sup> The Unit was known both as the Unrest Unit and the Riot Unit, both being translations of 'Onlus Eenheid'. The majority of deaths and injuries in the Peninsula in 1985 are the result of the actions of the Riot Unit. A number of the members of the Riot Units had backgrounds in Koevoet, the brutal and militarised police counter-insurgency unit operating in Namibia to quell the guerilla movement SWAPO. These experiences in Koevoet, which ran a 'bounty' reward policy for bodies<sup>75</sup>, doubtless played a role in shaping the practices adopted by the Riot Units.<sup>76</sup>

Within the Riot Unit certain individuals became notorious and were associated with particularly brutal practices. The Riot Unit appears to have developed an elite 'unit' within the unit, a cluster of personnel that appear to have adopted the most violent and aggressive modus operandi in the African townships. This unit section consisted of a cluster of personnel around Warrant Officer HCJ 'Barrie' Barnard<sup>77</sup> and was linked to a very high number of killings, assaults and torture.<sup>78</sup> A

<sup>74</sup> Odendal was immortalised on film chasing after a black protester, yelling "Ek donner jou, kaffir" (I'm going to beat you, kaffir). The footage forms part of the video collection gathered by the Legal Resources Centre for the case against the Minister of Law and Order, Cape Town Supreme Court case no 13082/86, Methodist Church of Africa and P Mzamka and 20 others vs the Minister of Law and Order. Cited in RMG newsletter No 32, 21 – 27 September 1987.

<sup>75</sup> Regarding the modus operandi of Koevoet and its bounty policy, see TRC Report, Volume 2, Chapter 2, pages 75 and 77.

<sup>76</sup> Cawthra, (1994), page 19, comments on this 'crossover from bush to township'.

<sup>77</sup> Even township administrator Ulrich 'Ricky' Schelhase, an official completely opposed to the UDF, described Barnard to the Commission as "a brutal killer". Interview with U. Schelhase, 13 February 1997. See The Argus 10 January 1987 and Cape Times 12 January 1987.

<sup>78</sup> This researcher could not find a single inquest in which they were found to have been responsible for any criminal conduct aside from the Trojan Horse case and the Bellville South shooting, discussed later in this chapter.



large number of statements made to the TRC in Cape Town as well as to independent organisations such as the Legal Education Action Project list Barnard as a perpetrator in various acts of killings, injury and torture.

Barnard was deployed to the African townships of Cape Town for eleven years until his death in 1988 and became a key pivot of security force actions in the African townships due to his extensive knowledge and experience in the area. He was involved in virtually all significant security force interventions in the area and worked in conjunction with a number of other units, including the Security Police and the Unrest Investigation Units. In the mid-1980s the personnel associated with him were Sergeant McMaster, Sergeant Smith, Constable Nel, Constable Labuschagne, and the Riot Unit head, Major Dolf Odendal. These individuals tended to move together and work in the same vehicles.

A study<sup>79</sup> of 71 cases of fatal police shootings of which 33 were unrest-related was able to assert that while the majority of police officers were involved in only one fatal shooting between 1984 and 1986, “the notorious Warrant Officer HJ Barnard, however, was involved in 24% (17)<sup>80</sup> of the shootings and Sergeant G McMaster in 13% (9)<sup>81</sup>”.

The same study notes that police shooters failed, on average, to employ eight of the ten prescribed controls when inflicting deadly force. Despite this absence of due procedure, the inquests found that the police shooters had legitimate purposes in 90% of the cases.<sup>82</sup> “In the only case in which criminal charges were brought against the police, both accused were acquitted on the grounds that they had acted in obedience to orders.<sup>83</sup> There was a single case in which the police shooter was found to have had no legitimate reason for killing.”<sup>84</sup>

<sup>79</sup> Hansson, (1989), page 126.

<sup>80</sup> Wynberg inquests of the Guguletu 7, 564/86/87 of MH Krwakrwa; 149/86/87 of AD Mankayi, 292/86 of M Zangseke; 277/86/7 of MW Mithshili; 254/86/7 of DJ Hans; 253/86/7 of RV Papa; 345/86/7 of N Milisi; 603/84/5 of BS Tyali; 601 (A)/84/5 of MM Ndaba; and 601 (B)/84/5 of GM Gxalaba. Cited in Hansson, (1989), page 126.

<sup>81</sup> Wynberg Magistrate’s Court inquests of the Guguletu 7; 847/86/7 of RZ Mtiti; and 400/86/7 of SG Silika.

<sup>82</sup> A finding of justifiable homicide or of necessity in cases other than those involving obedience to orders and accidents. Cited in Hansson, (1989), Page 126

<sup>83</sup> State vs E Villet, 15 September 1987, Case No (166/87) CPD, unreported. In the case, it was shown that members of the SAP were ordered to ‘eliminate’ people that they perceived as being the enemy. Hansson notes that this case involved the rare occurrence of a judge being overruled by his assessors. Cited in Hansson, (1989), page

<sup>84</sup> Hansson, (1989), page 128.

The South African Railways Police (SARP)<sup>85</sup> had developed national task teams which had received specialised training in security scenarios and were also deployed in public unrest situations as well from June 1985. Commanded by Major Chris Loedolff from August 1985, the Western Cape unit had 36 members,<sup>86</sup> and was linked to a number of killings, notably the 'Trojan Horse' ambushes.

Lastly, the SADF played an auxiliary and supporting role to the police in suppressing public unrest. Western Province Command fell under Brigadier AK de Jager for most of this period. One of its Western Cape units, Group 40 under Colonel Louis Rheede, was deployed in unrest situations although its role was usually confined to staffing roadblocks and search operations.

These three security arms (the SAP, SARP, and SADF) were co-ordinated through the National Security Management System (NSMS). The NSMS was adopted by the state from 1979 as a means of co-ordinating security actions throughout the country. Thus the Western Province Joint Management Centre (WP JMC), on which all three arms were represented as well as other branches of the security forces such as the security police, took charge of the sharing of security information and planning, and the delegation of responsibility for security actions, and the planning of projects or other pro-active measures. The WP JMC was established in the early 1980s. Based at the Castle, it was chaired by both SADF and SAP representatives, although the Commander of WP Command was the de facto head. From February 1986 onwards Brigadier AK de Jager chaired the JMC, assisted by secretary Commandant RP du Plessis.<sup>87</sup> In 1987 Commandant Henn replaced du Plessis as secretary.<sup>88</sup>

Its sub and mini JMCs at lower levels, took charge of daily planning and actions. Local Joint Operation Centres (JOCs) were established to deal with 'hot spots' on an immediate basis, such

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<sup>85</sup> The SARP was integrated into the SAP in 1986.

<sup>86</sup> Gleaned from platoon reports handed to the Legal Resources Centre, Cape Town, in preparation for the Cape Town Supreme Court case no 13082/86, Methodist Church of Africa and P M Mzamka and 20 Others vs The Minister of Law and Order.

<sup>87</sup> Fragments of information regarding the WP JMC were obtained from incidental reports from the WP JMC to the SSC, in the SSC collection, National Archives, Pretoria.

<sup>88</sup> Commandant Henn testified to this in the same Supreme Court case cited above.

as the JOC at the Manenberg Police station in 1985 and 1986.<sup>89</sup> It was the JOCs that were directly involved in planning public order policing actions on a day to day basis.<sup>90</sup>

From 1986, a special auxiliary force was introduced into national policing, specifically deployed towards public order policing.<sup>91</sup> The collapse of the black local authorities and the climate of 'ungovernability' that developed from 1985 necessitated a bolstering of security force capacity in the field. As a consequence, special constables were introduced in 1986 to form the first line of police presence in townships.<sup>92</sup>

Special constables were created according to the Malaysian model of counter-revolutionary warfare. They drew too from the Rhodesian experience. A strategy paper by Major General FMA Steenkamp from SAP Headquarters points to the successful deployment of local militias in then-Rhodesia to regain and protect the status quo.

*"An effective physical counter to the tyranny of the 'comrades' should be established from the ranks of the blacks themselves ... the necessity for and the value of such an auxiliary service is apparent from research done into the role played by the Security Forces Auxiliaries in Rhodesia and the battle against the revolutionary war over there."<sup>93</sup>*

Special constables, also known colloquially as 'kitskonstables' (instant police) were recruited from urban and rural areas, and were usually unemployed African males with few educational qualifications. Many were illiterate and some had criminal convictions. Training for special constables began in September 1986 at the SAP's Koeberg facility outside Cape Town. Initially only six weeks, the training course was later increased to three months. The training was perfunctory and involved only one seven hour course in 'onlusdril' (riot drill). It is estimated that

<sup>89</sup> Some detail regarding the operation of this JOC emerged at the inquest of the Trojan Horse shooting, discussed later in this chapter.

<sup>90</sup> Some debate exists as to the precise role of the JMC structures in the planning and execution of activities that resulted in violations. While activities geared towards public order policing were clearly discussed, more covert forms of activities were less likely to be placed on its agenda due to the participation of other civil structures of government such as the Fire and Traffic Departments. Nevertheless, the TRC did find instances where the JMCs or their substructures were found to be the planning site of various violations, such as the Trust Feeds killing in the Kwa-Zulu/Natal region, and the Cape Town Trojan Horse shootings.

<sup>91</sup> 'The Apparatus of State-Orchestrated Violence in Apartheid South Africa', Report prepared by the Civilian Support Component, Investigation Task Unit, Kwa Zulu Natal, February 1997, submitted to the TRC.

<sup>92</sup> The municipal police can also be seen in this light, although they work for the town councils and not the police. Their training however is conducted by the police.

<sup>93</sup> The strategy document dated February 1987 was submitted as an annexure to the amnesty application of Captain Brian Mitchell (AM2586/96).

by the end of the 1980s about 8000 special constables had been recruited, trained and deployed in urban townships and small towns where unrest levels were high.<sup>94</sup> Their deployment and activities in Cape Town are discussed later in this chapter.

### **Public Order Policing in the greater Cape Town area, 1985**

While the urban townships around Johannesburg and Pretoria saw significant street protest from late 1984, the urban Cape Peninsula experienced more low-key protest levels for the first half of 1985.<sup>95</sup> For example, the 21 March 1985 fatal shooting of 20 people by police in a Port Elizabeth township in the Eastern Cape<sup>96</sup> led to a number of protest rallies in Cape Town but these were largely without clashes with police or casualties. When the State of Emergency was declared on 22 July it did not include the Western Cape, reflecting this relatively low level of public resistance activities.

The exception to this relative lull was a violent and dramatic clash with security forces in Crossroads in February 1985. It was a specifically local issue directly affecting the lives of informal settlement dwellers as opposed to a national resistance campaign that mobilised this first serious conflict with the security forces.

During early 1985, the state attempted to move Crossroads residents to the distant sandy wasteland of a new township, Khayelitsha. On 15 February 1985 Dr Viljoen, Minister of Co-operation and Development, announced that extra staff and transport were being supplied to speed up preparations for the removals to Khayelitsha. A group of several hundred Tswana speakers were located at Khayelitsha and further spurred rumours of an impending removal.<sup>97</sup>

The violent street clashes began in the wake of a rumour that a convoy of government trucks was on its way accompanied by the special Tswana speaking unit brought in to do the job of removal

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<sup>94</sup> See *Now Everyone is Afraid: The Changing Face of Policing in South Africa*, Catholic Institute for International Relations, 1988. This publication provides numerous case studies that illustrate the problems resulting from the deployment of the special constables.

<sup>95</sup> Surprisingly, certain rural Western Cape towns such as Oudtshoorn and Beaufort West experienced open conflict with security forces resulting even in deaths some six months before the Cape Peninsula in early 1985.

<sup>96</sup> The Langa shooting, one of the largest massacres in the 1980s, is described in the *TRC Report*, Volume 3, Chapter 2, page 85 – 87.

squad. A meeting of Crossroads residents resolved that all residents should stay at home the following day to oppose any attempt at a forced removal. The following day, the 18<sup>th</sup>, residents erected barricades in the roads into Crossroads. Vehicles were stoned, the police arrived in force and shootings began.

Newspapers report that the three days of conflict left up to 18 people dead<sup>98</sup> and about 250 injured, 48 seriously, over the period 18 to 21 February.<sup>99</sup> All were African males; all were killed by bullet wounds, and six were teenagers.<sup>100</sup> In Parliament in May 1985, Minister of Law and Order Louis le Grange initially refused to disclose the names of the people who had died. On 4 June he finally confirmed seventeen names.<sup>101</sup>

Mortuary records confirm the following fifteen deaths: Ntonton William Mboniswa, 29; Vuyisile Sidlayiya, 17; Mizana Ndzena, 12; Delekile John Lumkwana, 35; Temba Gcanga, 31; Mathews Zakeke Mlonyeni, 37; Elliot Mazosizwe, 34; Fuzile Petrus Juqu, 15; Buntubakhe Rasimeni, 22; Tom Klaas, 31; Lele Mpushe, 29; Shumi Abner Duma, 17; Stanley Siklangele Mgudlwa, 22; Ruben Mzikayise Nyeka, 17; Sidwell Mda, 15.<sup>102</sup> The Minister of Law and Order, Mr Louis le Grange, also confirmed the following two names: Michael Pinki Madlebe (21) and Mbongeni Maqungu (28), taking the total to seventeen.

A notable feature of this outburst was its relative isolation from the UDF. Although UDF affiliates had adopted the 'Asiyi eKhayelitsha'<sup>103</sup> campaign, there is little evidence that the UDF or its affiliate organisations played much of a role in mobilising this protest. Rather, it forms part of a tradition of resistance to forced removals organised by local informal settlement residents and their leadership figures that had taken place from the mid to late 1970s to the mid 1980s in the Crossroads, Nyanga Bush, Nyanga Extension, Portland Cement and KTC informal settlements. Shortly after their respective establishment, each of these settlements had a period of

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<sup>97</sup> Cape Times 18 February 1985, 19 February 1985 and 1 March 1985. The events are also described in some detail in J. Cole, Crossroads: the Politics of Reform and Repression, Ravan Press, Johannesburg, 1987.

<sup>98</sup> It is notable that several of the dead were actually from the surrounding township of Nyanga, possibly indicating some wider township support for and participation in the protest.

<sup>99</sup> The Argus 21 February 1985.

<sup>100</sup> No removals to Khayelitsha took place after these incidents. Instead, Minister Viljoen announced certain concessions for Africans: a 99 year leasehold for all Africans in the Western Cape; the completion of the New Crossroads development; and the upgrading of Old Crossroads.

<sup>101</sup> Cape Times 5 June 1985.

<sup>102</sup> Mortuary registers, Salt River mortuary, Cape Town. The eighteenth person could not be identified but may be Mthuthuzeli Daniel Mbilana (27) as per the mortuary registers.

'trial by fire' in which residents actively opposed removals. The raids and protests only subsided with the abolition of the Coloured Labour Preference policy in 1984 and the abolition of the pass laws in 1986. This outbreak of conflict in February remained contained to the Crossroads/Nyanga area. The rest of Cape Town remained relatively free of violent street confrontations.

It was the discovery of the mutilated bodies of the Cradock Four in the Eastern Cape in early July and the subsequent imposition of a State of Emergency in 36 magisterial districts outside the Western Cape on 21 July that acted to galvanise the region into popular public protest and organisational depth on a scale not previously seen.

Street clashes broke out in the African townships on the afternoon of 19<sup>th</sup> July following a mass memorial service for the Cradock Four. Police took action against the protesters who stoned vehicles, both leading to numerous injuries.<sup>104</sup> Intermittent patches of protest were ignited again by a mass protest meeting at UWC on the 26<sup>th</sup> and a school boycott began. The first death by police shooting in the Peninsula in this new surge of protest took place a few days later. School student Sithembele Matiso<sup>105</sup> (17) was killed when a police rubber bullet hit his head on 29 July 1985 in clashes in Guguletu. Matiso's funeral on 10 August was marked by clashes between mourners and police and a hand grenade was thrown at police near the graveyard injuring Riot Unit head Major Dolf Odendal and five other policemen.<sup>106</sup>

During early August, Coloured townships such as Bonteheuwel, Athlone, Mitchells Plain and Manenberg joined the fray. Cape Town newspapers reported daily on incidents involving a range of areas in street protests. By 24 August, police had sealed off access roads to Crossroads, Guguletu and Langa.<sup>107</sup>

The event that precipitated three months of open urban revolt was what became known as the Pollsmoor March. Planned for 28 August, the mass march was to commence at different points in the Peninsula and converge at Pollsmoor prison to demand the release of Nelson Mandela. The

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<sup>103</sup> "We are not going to Khayelitsha".

<sup>104</sup> Cape Times 20 July 1985; The Argus 20 July 1985; Die Burger 20 July 1985.

<sup>105</sup> TRC statement CT00738/FLA.

<sup>106</sup> Cape Times, 12 August 1985. Minister of Law and Order Adrian Vlok later referred to this grenade attack as the justification and motivation for the 20 December Lesotho raid in which the MK commanders believed to be responsible for recent Western Cape armed activity were killed, viz. Joseph Monwabisi 'Themba' Mayoli, Vivian Stanley Mathee and Leon 'Joe' Meyer.

<sup>107</sup> Die Burger, 12 August 1985.

march provides one of the few examples where a direct line of responsibility between the State President PW Botha and the violence of the security force response can be traced.

The minutes of the State Security Council reveal that its Working Committee resolved on 5 August 1985 that *"the Boesak march to the Pollsmoor prison on Wednesday 28 August must be nipped in the bud at its outset and under no circumstances must be allowed to take place. The prison services must be informed of this."* The Minister of Law and Order Louis le Grange, the Minister of the SADF, Magnus Malan, and the Minister of Prisons Kobie Coetsee were tasked in this regard.<sup>108</sup>

UDF patron Allan Boesak who had issued the announcement of the march was detained on 23<sup>rd</sup> August along with around 17 other UDF leaders.<sup>109</sup> On the 28th, thousands of people gathered at the Athlone Hewat College, in Guguletu, and in other places across the Peninsula. Police restrictions on the march saw many routes being sealed off and access to the Athlone stadium, a key starting point of the march, was denied. When groups attempted to begin the march, police took action with sjamboks and gunshot resulting in serious injuries. There were clashes and arrests in at least eight different places. In Athlone, a group of approximately 4000 led by priests were baton charged by police while kneeling and reciting the Lord's Prayer.<sup>110</sup> In Guguletu, police dispersed a crowd of thousands. Scattered conflicts followed in the streets, particularly around KTC. The SACLA clinic in Crossroads reported treating over 60 people for gunshot and rubber bullet injuries. Six policemen were injured in the fray when hit by stones.<sup>111</sup>

Newspapers described the scene in Guguletu as follows:

*"By 9am an estimated 3000 slogan-chanting marchers, mostly youths, were heading towards Klipfontein Road, setting two cars alight in Lansdowne Road and brushing aside attempts to disperse them with tearsmoke. Near the Guguletu police station, police in three Casspirs fired tearsmoke at the youths and chased them back into the township. Policemen in Casspirs raced from place to place firing tearsmoke as crowds barricaded roads with rocks, slabs of concrete and burning tyres. Three cars and two lorries were set alight and a beerhall near Fezeka High School was looted and burnt down. Falls of smoke were still hanging over the township at 3pm when security forces cleared away the barricades and sealed off the township."*<sup>112</sup>

<sup>108</sup> Minutes of the Working Committee, 12/85, 5 August 1985, Pretoria National Archives.

<sup>109</sup> Cape Times 24 August 1985.

<sup>110</sup> Testimony of Jan de Waal, TRC hearing, Cape Town, 26 November 1996 on TRC website [www.truth.org.za](http://www.truth.org.za)

<sup>111</sup> Cape Times 29 August, Die Burger 29 August 1985.

<sup>112</sup> Cape Times 29 August 1985.

While all efforts across the Peninsula at marching on the 28<sup>th</sup> August were violently dispersed by the police, all the deaths that took place on the actual day of the march were in the Guguletu/Nyanga area. Nine male Africans died, namely Deki James Hans, 29; Kolekile Charles Maroti, 24; Raymond Mbuyiseli Mtuze, 16; Robert Komba, 28; Christopher Phumzile Dantile, 14; Wellington Mlungwana, 24; Manfred Zolile Makasi, 28; Baba Pohlango, 19; and Sandla Oscar Matshaya, 22.<sup>113</sup>

The disruption of the Pollsmoor march groups and the fatal police shootings resulted in widespread protests and street clashes on the following day. Eleven died that day in police shootings, being four Africans in the Guguletu/Nyanga area and seven Coloureds - two in Bellville South, three in Mitchells Plain and two in Manenberg. The first female casualties also took place that day with two deaths. Those who died were Mphuthumi Raymond Ngumla, 26; Zukile Vena, 28; Vuyani Makoba, 20; Patricia Pama, 14; Lance Henry Phillips, 19; Brian Lucas, 17; Quentin Stanley Bailey, 13; Lionel Johannes Paulsen, 12; Sara van Wyk, 21; John Jerome November, 16; and Clive Christopher Cupido, 19.<sup>114</sup>

A police report describing the day of the Pollsmoor march gives a police perspective on the events:

*"In the Western Cape areas of Khayelitsha, Athlone and Guguletu, there were incidents of looting and also illegal gatherings where petrol-bombs and rocks were thrown at police while they were dispersing the mobs with tearsmoke, quirts, rubber bullets and shotgun fire. Eight black men were fatally wounded in confrontation with police, an unknown number of people were injured and 96 people were arrested. A number of policemen and SADF members sustained minor injuries. One black man was fatally wounded and a murder docket has been opened. In the same areas, a number of vehicles and a service station were damaged by arsonists."<sup>115</sup>*

The number of deaths dropped off thereafter with three deaths on the 30<sup>th</sup> (Gerald Diedericks, 19, in Bellville, Elton Christian Thompson, 15, in Mitchells Plain and Garnet Simon Josephus Giose, 34, in Manenberg) and two on the 31<sup>st</sup> (Mogamat Ebrahim<sup>116</sup>, 19 in Mitchells Plain and an unidentified male, 27).<sup>117</sup> Mitchells Plain was the centre of the uproar on the 30<sup>th</sup>, spreading to Elsies River, Valhalla Park, Matroosfontein and Manenberg in early September.

<sup>113</sup> Names obtained from the relevant Salt River Mortuary registers.

<sup>114</sup> Names obtained from the relevant Salt River Mortuary registers.

<sup>115</sup> *Cape Times* 30 August 1985

<sup>116</sup> Ebrahim was possibly shot by a private person during unrest as opposed to the police.

<sup>117</sup> Names and ages obtained from the Salt River mortuary register.



In all, around 25 people died on the three days (28, 29 and 30<sup>th</sup> August) around the Pollsmoor march. A further three people died in the week thereafter, thus increasing the toll to 28.<sup>118</sup> School student Vuyani Papa, 16, died on 2 September while Jonathan Paul van Wyk, 19, died on 4<sup>th</sup> September and Samuel Nel, 22, of Scottsville died on the 5<sup>th</sup>.

Of the 28 people killed, 15 were Africans and 13 Coloureds. There were at least 150 admissions to hospital with serious injuries, predominantly from Guguletu, Nyanga, Athlone, Phillippi and Manenberg. At least 95 people were treated for injuries at the SACLA clinic in Crossroads alone including four children under 12 years of age.<sup>119</sup> The figure for injuries was believed to be much higher. Newspapers described it as the “worst outbreak of rioting since the tragic events of 1976”.<sup>120</sup> At least 172 people were arrested in the period of the march and thereafter.<sup>121</sup> Guguletu, Manenberg, and Mitchells Plain were barred by security forces to all but residents.<sup>122</sup>

Some of the dead were buried at a mass funeral on 7 September in Guguletu, one of the first mass funerals of the period in the Western Cape attended by up to 20 000 people. After the funeral running battles took place between the police and groups of mourners in which Roadwell Thembekile Judula, 28, and Livingstone Lindile Mandula, 23, were shot and killed by security forces<sup>123</sup>.

Ironically, it was precisely the scale of the police action against the Pollsmoor march and its aftermath that acted to propel the region into the most sustained and extensive period of political revolt ever seen, and not subsequently matched. Both Coloured and African townships would remain in persistent upheaval until the end of the year with several deaths per week. There were

<sup>118</sup> In early September 1985, the police officially identified 24 of the people who had died thus far. Cape Times, 7 September 1985; The Argus, 9 September 1985.

<sup>119</sup> The Argus 29 August 1985 and 30 August 1985, Cape Times 26 September 1985.

<sup>120</sup> Sunday Times 1 September 1985.

<sup>121</sup> The TRC made the following formal finding regarding the Pollsmoor March: “The Commission finds that the goal of the ‘Pollsmoor March’ to free Mandela’ was a symbolic one, and many of the groups of marchers were led by clerics, students and community leaders. As a consequence, the injuries and fatalities caused by the actions of the security forces on the day of the Pollsmoor march and the following few days were totally unwarranted. The Commission finds that the nearly thirty deaths associated with the event were entirely the responsibility of the security forces. The Commission does note the injuries of fifteen policemen over the period but finds that these took place in the context of public outrage at the actions of the security forces.”

<sup>122</sup> The Argus of 6 September 1985 reported that the national head of the Riot Unit, General-Major Wandrag and Lt-General Lothar Neethling visited the area. Police Minister Louis le Grange and Defence Minister Magnus Malan were briefed on the situation so they could report to PW Botha.

<sup>123</sup> Salt River mortuary register, entries 2794 and 2799. The Argus 9 September 1985.

widespread arson attacks on institutions, shops and schools. The affected townships were regularly sealed off by security forces and placed under virtual siege.

Despite the widespread killings, the failure to halt the political upheavals completely had dire consequences for the Western Province JMC Chairman and the Divisional Commissioner of Police. At the SSC meeting on 7 October 1985, the national security situation was discussed and PW Botha ordered their transfer.

*“The Chairman expresses his serious concern that the situation in the Cape Peninsula has been allowed to deteriorate so badly. Such a thing must never be allowed again. The relevant JMC Chairman and the divisional commissioner are held responsible for this and they must be transferred.”<sup>124</sup>*

On 6 September, the government closed 464 Coloured schools and tertiary institutions in an acknowledgement of the enormous impact of the school boycotts. A stayaway was called for the 10<sup>th</sup> and 11<sup>th</sup> September with varying degrees of success across the Peninsula.<sup>125</sup> Widespread episodes of harsh ‘riot policing’ acted to increase the political temperature throughout September.

There were at least thirteen fatal shootings by police in September, being eight Africans and five Coloureds. Nine of the deaths took place over the stayaway period and the days thereafter: on the 10<sup>th</sup> Ebrahim Carelse, 31, died after being shot a week earlier in Salt River; while Donald Mullins, 23, died in Bishop Lavis and an unidentified 30 year old male in Langa on the 11<sup>th</sup>. On the 12<sup>th</sup> four young men died after being shot by police in the Lansdowne Road area near Crossroads in an apparent ambush (see below).<sup>126</sup> They were Mntudyedwa Mateicks Nana, 31, Thembisile Tozo, 16, Sipho Guarantee Silika, 20, and Ntsikelelo Milisi, 24.<sup>127</sup> On the 13<sup>th</sup> school student Jongikhaya Sikama was shot dead in Langa<sup>128</sup> followed by Mziwoxolo Anderson Makeleni, 25, in Guguletu on the 16<sup>th</sup>. As was the case with many unrest funerals, Sikhama’s funeral was disrupted when police teargassed the funeral procession.

<sup>124</sup> Minutes of the SSC meeting No. 16/85, 7 October 1985, National Archives, Pretoria.

<sup>125</sup> Hall, (1986), page 15.

<sup>126</sup> The Argus, 13 September 1985; Cape Times 13 September 1985. On the morning of the 12<sup>th</sup> September, a white garage owner Cornelius Kapp, 42, was stoned while travelling down Lansdowne Road in a bakkie. He was seriously injured and died in hospital the following day. The four were shot dead a few hours later by W/O Barnard, Sgt McMaster and Sgt McMaster.

<sup>127</sup> This shooting would have a further tragic aftermath. The four were identified by Ayanda ‘Ace’ Silika, brother of one of the deceased. Ace Silika himself would be shot dead by police on 12 May 1986 while in custody for the alleged killing of a policeman in March 1986. See chapter 3.

<sup>128</sup> Jongikhaya Sikama was shot dead while apparently on his way from work. A crowd of youth were attacking a residence where three black policemen lived. They opened fire on the group, resulting in at least one injury. Sikhama was taken home and his family tried to take him to hospital but the township was sealed off by security forces. He then died at home.

On 12 September SAP Commissioner Johan Coetzee flew in to Cape Town to 'study the unrest'<sup>129</sup>. Coetzee announced that reinforcements would be sent to the Cape but the State of Emergency would not yet be extended to the Western Cape, and that Brigadier CW Malan from Security Branch Head Quarters in Pretoria would be sent to Cape Town to take a top-level look at the unrest and to determine how it had started.<sup>130</sup>

Police repression continued to politicise communities. On 18 September Hilton Stuurman, 10, was killed when police opened fire on a crowd in Elsies River and John Christoffel 'Ivan' Langehoven, 21, was killed in Valhalla Park with several other people injured. There were widespread complaints by ordinary residents regarding police actions in Valhalla Park, who alleged that police had acted with complete impunity, kicking down doors and beating occupants.<sup>131</sup>

October was the most violent month in 1985 with daily clashes between police and residents resulting in an estimated 27 deaths in the greater Cape Town area.<sup>132</sup> The first week of October saw at least three fatal shootings by the SAP mainly in the Crossroads vicinity. This included Mcikali Liwani, 13, shot dead during police action in Crossroads.<sup>133</sup> The second week saw a dramatic escalation of unrest activities. Newspapers report that during the third week of October, the Western Cape had accounted for 70% of all unrest incidents nationwide.<sup>134</sup> On October 15 and 16 the infamous 'Trojan Horse' ambushes in Athlone and Crossroads took place, discussed below.

Those who died in October were Mbatantsi William Mitshili, 47, and Mcekeleli Liwani, 13, on 7 October; Mcedi Sintshi, 18, on 10 October; Mthetho Ntlemeza, 14, on 11 October; Michael Cheslyn Miranda, 11, Shaun Magmoed, 16, and Jonathan Claasen, 21, on 15 October; Goodman Mengxane Mali, 19, Mabhoti Alfred Vetman, 20, and Hilda Buyiswa Mbana, 14, on 16 October; Abdul Karriem Fridie, 29, on 17 October; Johannes Thompson, 23, 19, and Pumzile Doram Booi, 19, on 19 October; Zwelekosi Nkingqa, 25, and Mbongeni Mbili, 17, on 22 October; Mehlo Mandleku, 28, Monwabisi Headman Mgqoboka, 20, Paul Vidulich, 24, Ezra Maseko, 15,

<sup>129</sup> Die Burger 13 September 1985.

<sup>130</sup> The Argus 16 September 1985. The outcome of this investigation could not be established.

<sup>131</sup> Cape Times, 19 September 1985.

<sup>132</sup> Duffou, (1986), page 90.

<sup>133</sup> The Argus 13 November 1985.

Zinikele James Ndamane, 22, on 23 October, Buyiselo Victor Komphela, 23, on 25 October; Mxolisi Dofi, 21, on 26 October; Notloto Gobizembe, 21, on 27 October; Mogamat Ebrahim, 16, and Rebecca Nonzuzo Ngwevushe, 36, on 28 October.<sup>135</sup>

There appear to be several cases of people being shot dead by motorists who were stoned or who feared being stoned. These include Paul Vidulich, 24, in Hanover Park on 23<sup>rd</sup> October and Mogamat Ebrahim, 16, near Hanover Park on 28 October.<sup>136</sup> In another incident an unidentified man was shot dead by two motorists stoned near Bellville on 21 October.<sup>137</sup>

The scale of protest during October resulted in the extension of the State of Emergency to the Western Cape on October 26<sup>th</sup>. Around one hundred organisations were prohibited from holding meetings and this was followed by restrictions on the media. At least four hundred people were detained in the first two weeks of the Emergency.<sup>138</sup>

November and December 1985 saw the slow ebbing of public protest on the streets and a sharp drop in police shooting casualties. In November Jackson Phindani, 18, and Justice Mzazi Fatyele, 19, were shot dead near KTC<sup>139</sup> on the 5<sup>th</sup> while a massive security force seal-and-search swoop on Crossroads on the 29<sup>th</sup> resulted in at least one death. Aside from the fatal police shooting of 12 year old Andile Selane<sup>140</sup> in New Crossroads on 17 December, the four remaining killings in December relate to attacks and counter-attacks between liberation movement supporters and groups seen to be allied to the state.

Cape Town would not see police shootings on this scale again. A study of fatal security force shootings in civil unrest situations from 1 January 1985 to 31 December 1985 identifies 87 deaths.<sup>141</sup> Dr Joe Duflou, from the University of Cape Town's Department of Forensic Medicine,

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<sup>134</sup> Die Burger 26 October 1985.

<sup>135</sup> Names and ages were obtained from the 1985 Salt River mortuary register. Vidulich, Gobizembe, Ebrahim and Ngwevushe were not killed by the security forces but apparently by civilians.

<sup>136</sup> Cape Times 29 October 1985.

<sup>137</sup> The Argus 23 October 1985. The identity of this person could not be ascertained.

<sup>138</sup> Hall, (1986), page 20 – 21.

<sup>139</sup> Salt River mortuary register records, entry numbers 3521 and 3522.

<sup>140</sup> TRC statement CT01343/FLA.

<sup>141</sup> Duflou, (1986). Interestingly, he found no trace of alcohol in 80.8% of the deceased. This differs somewhat from the picture in 1976 where the Cillie Commission notes that levels of alcohol were found in the blood of 39 of the 137 deceased, a percentage of 28.46%. Thus the number of persons shot with alcohol in their blood decreased by nearly ten percent from 1976 to 1985.

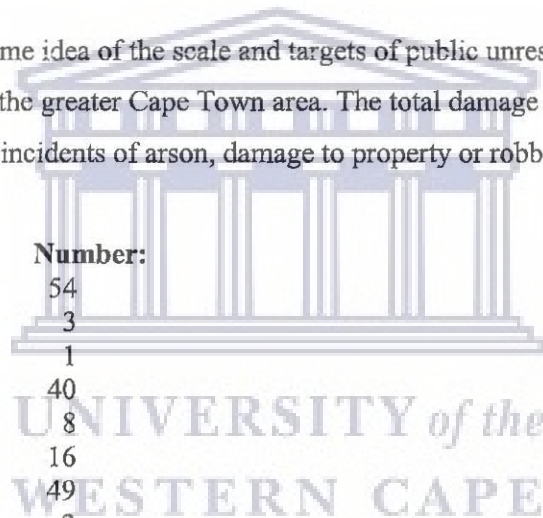
found that the deaths were made up of eighty five males and two females.<sup>142</sup> Sixty of the dead were Africans and 27 were Coloureds. Four of the 87 deaths were from outside Cape Town, leaving a total of 83 deaths in Cape Town. The mean age of the deceased was 23,2 years while twelve percent were under the age of 15.

Duflou found that more than half of those killed were shot in the back, while another 11.6 percent were shot in the side. More than a third were shot more than once. Birdshot was used in almost 40 percent of the deaths.<sup>143</sup>

Another study commented on the fact that some of the fatalities were probably the result of delayed access to medical treatment. "Preliminary studies have indicated that many deaths from firearm injuries may have resulted from prolonged haemorrhage from the lungs. An important factor could therefore be delay in treatment of the injured."<sup>144</sup>

The following figures give some idea of the scale and targets of public unrest in the period August to December 1985 in the greater Cape Town area. The total damage was estimated at R2 313 819 during a total of 865 incidents of arson, damage to property or robberies.<sup>145</sup>

Damage to:	Number:
Schools	54
Churches	3
Clinics	1
Shops/businesses	40
Garages	8
Homes of SAP members	16
Homes of private persons	49
Banks	2
Post offices	7



<sup>142</sup> This author's research indicates possibly three female deaths: Patricia Pama (14) on 29 August 1985, Sarah van Wyk (21) on 29 August 1985, and Hilda Buyiswa Mbana (14) on 16 October. This low number of female deaths appears to indicate that the chief 'risk takers' in protest situations, ie those in the 'frontline' of a crowd for example, or those actively confronting police or engaging in stone throwing may tend to be males rather than females. This is not to suggest that females did not participate in protest activity, but may have tended to be more 'part of the crowd', an observation borne out by anecdotal, photographic and film material from the period. It may also point to the mindset of the security forces, for whom males were the targets rather than females.

<sup>143</sup> *Sunday Star* 11 May 1986.

<sup>144</sup> GJ Knobel, "Effect of Civil Unrest on the incidence of violent and non-natural deaths" in *South African Medical Journal*, Volume 70, 19 July 1986, page 88.

<sup>145</sup> Knobel, (1986), page 85. He cites a personal communication from the Minister of Law and Order as his source for the figures.

Vehicles – SAP	132
Vehicles – state	88
Public transport	24
Vehicles – private	428
Robbery	13 (amount of R4082)

Of note is the relatively small number of robberies. The thirteen robberies resulted in a loss of only R4082. Although not stated, it is probable that attacks by Umkhonto we Sizwe (some fifteen to twenty attacks in the period August to December) are included in these figures.

### **Ambush Tactics**

A feature of public order policing in Cape Town was the use of ‘ambush actions’ against street protest, in which the security forces concealed their presence in various ways either on site or passing by, and then opened fire without warning on protesters, causing deaths and injuries. Despite its alleged intention to effect arrests, the ambush tactic lured civilians deliberately into situations resulting in killings and injuries. Relying on concealment, speed and surprise, it resulted in indiscriminate shootings by the security forces.

Although the 1985 Trojan Horse incident drew attention to this form of shooting and sparked a public outcry, such practices by police were not uncommon, particularly the use of ‘spook voertuig’ (ghost vehicles, essentially implying unmarked civilian vehicles). The fatal shooting of Sonny Boy Zantsi and Sidwell Donti on 16 September 1976 in Guguletu involved the use of police hidden in a ‘spookvoertuig’ opened fire on rioters.<sup>146</sup> There are indications that possibly two of the police shootings deaths in the 1980 unrest involved police using an unmarked ‘kombi’.<sup>147</sup>

Six possible ambush cases involving slightly different modus operandi can be detected in Cape Town, taking place in late 1985 and early 1986. Other instances were also identified by the TRC in the Eastern Cape.<sup>148</sup>

<sup>146</sup> TRC statements CT00220/FLA and CT00707/FLA.

<sup>147</sup> Bernard Fortuin was shot dead on 28 May 1980 from an unmarked kombi in Elsies River. TRC statement CT02202/HEL. William Lubbe also died that day. See F. Molteno 1980 Students Struggle for their Schools, Centre for African Studies, UCT, 1987, page 106, for an account of Fortuin's death.

<sup>148</sup> In the three Eastern Cape cases in 1985, police concealed themselves in a bakery truck, under tree branches on a municipal truck and under cardboard boxes on a truck. Two of these

The first noted incident in Cape Town in the period under review took place on 29 August 1985, the day following the Pollsmoor March. On the orders of their superior officer Captain Ockert van Schalkwyk, two members of the Bellville Riot Unit, Constable Ernest Villet and Warrant Officer Paulus Kruger hid in the garden of a house in Bellville South on 29 August. They later leapt out of this 'observation point' and fired at a group of people. Sarah van Wyk<sup>149</sup> was killed and several others were injured, notably all women. Monica Daniels was injured so severely that her one arm was later amputated.<sup>150</sup>

In a second case, a white civilian was fatally stoned on 12 September 1985 while driving on Lansdowne Road near Crossroads. A few hours after the attack, Major Odendal placed W/O Barnard and Sgt McMaster in a concealed spot near the site. Shortly thereafter, they opened fire on protesters, killing four youths and injuring Seymour Makasi<sup>151</sup>. The four killed were Mntudyedwa Mateicks Nana, 31, Thembisile Tozo, 16, Siphon Garantee Silika, 20, and Ntsikelelo Milisi, 24.<sup>152</sup>

The most well known ambush case is the 'Trojan Horse' shooting on 15 October 1985 at the intersection of St Simons Road and Thornton Road in Athlone. The shooting highlights the role of the Western Province Joint Management Centre in the region, and its sub-JMC that covered the Peninsula. These structures had established a Joint Operation Centre (JOC) which met daily at the Manenberg Police station whose task was aimed at co-ordinating the activities of the security forces in areas identified as unrest flashpoints. The planning was done on the basis of information

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incidents predated the Cape Town incident. See TRC Report, Volume 3, Chapter 2, paragraphs 205 - 212.

<sup>149</sup> TRC statements CT03201/HEL, CT00779/HEL and CT00151/HEL have relevance.

<sup>150</sup> In September 1987 two policemen Constable Villet and Warrant Officer Kruger were charged with the murder of Sarah van Wyk and attempted murder of three others (State vs E Villet, Case No 166/87). Police claimed at the trial that they had been 'ordered' to eliminate the ringleaders of the unrest in documents issued from police headquarters in Pretoria. At the trial, some debate ensued as to the differing understandings of the term 'eliminate'. It was alleged that the two policemen received instructions to conceal themselves behind a fence and to use their discretion in acting against 'the instigators'. The two were acquitted. Hansson notes that this case involved the rare occurrence of a judge being overruled by his assessors. Hansson, (1989), page 128.

<sup>151</sup> Statement by Major CAJ Odendal in docket MR 84/9/85 Phillippi, inquest of Cornelius Johannes Kapp, No. 200/87, Cape Town Magistrate's court. TRC statement CT03069/HEL.

<sup>152</sup> The names were obtained from the Salt River mortuary register, entry numbers 2849, 2850, 2853 and 2854. See also The Argus, 13 September 1985.

collected through the mechanism of the Joint Intelligence Committees (JIC) and also from the Security Committees (SECCOM) of the Joint Management Centres.<sup>153</sup>

A meeting of the Sub JMC was called on 14<sup>th</sup> October 1985, which was attended by, among others, Major Loedolff, where the unrest situation in the Peninsula area was discussed. An official SAP document was discussed at the meeting.<sup>154</sup> Under the heading “OPS Beplanning: Onlussituasie” (Ops Planning: Unrest Situation), the document provides a detailed plan for taking forceful action in unrest situations and calls specifically for the use of a reaction force to deal with “oproerige skares by brandpunte” (rioting crowds at flashpoints).

The JOC then decided upon and tasked the ten members of the SA Railways Police (SARP) Task force to obtain a railway vehicle and conduct the operation.

Shortly before 5pm on 15<sup>th</sup> October 1985, the railway truck described as a ‘spookvoertuig’ (ghost vehicle) drove down Thornton Road, Athlone. On the back of the truck were three large wooden crates which each concealed two policemen while two others hid in the gaps between the crates. Those in the crates were in radio contact with the driver and passenger, as well as the Joint Operation Centre at the Manenberg Police station.

The crowd of around 100 - 150 persons ignored the truck on its first drive-by. On its second slow drive past the crowd, a couple of stones were thrown at it. The truck immediately stopped, the lids of the wooden crates came up and all the policemen on the back of the truck, as well as the passenger opened fire with sharp ammunition. No orders were given for the crowd to disperse and no warning shots were fired. During the operation members of the security forces fired a total of twenty seven rounds AAA ammunition and twelve rounds of buckshot.

Three youths were killed, namely Michael Cheslyn Miranda, 11, Shaun Magmoed, 16, and Jonathan Claasen, 21. Journalists at the scene captured the incident on film and the footage was broadcast worldwide.

Despite this media attention, the operation was repeated the following day when members of the SAP’s Riot Unit drove past Crossroads concealed in the same wooden crates on the same railway

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<sup>153</sup> Information from the TRC Investigation Unit report into the incident.



truck. This repeat operation has tended to be ignored in attention paid to the 'Trojan Horse' incident. The shots they fired opposite Crossroads killed Goodman Mengxane Mali, 19, and Mabhoti Alfred Vetman, 20.<sup>155</sup>

The inquest into the deaths of Miranda, Magmoed and Claasen was heard before Magistrate G Hoffmann in December 1987.<sup>156</sup> In a surprising finding contrary to his normal absolution of the police, Hoffman took issue with the version presented by the security force members in their sworn affidavits and testimony. He questioned the purpose of the operation; the quantity of stones thrown at the vehicle; the size of the crowd involved; the degree of damage to the vehicle; the marked similarity of the statements of the accused; the statements by several police officers that they had fired on the crowds because their lives were in danger; the exact amount of ammunition used in the operation; and the degree of damage to the vehicle.

Hoffman also questioned the evidence of the police officers regarding allegations that the deceased had been throwing stones and, by implication, had been guilty of an offence. In fact, all the thirteen persons arrested on charges of public violence for offences allegedly committed on that day, were found not guilty in the Athlone Magistrate's court and discharged.<sup>157</sup>

Magistrate Hoffmann found that Vermeulen and his men were responsible for the deaths of the three deceased, and that the operation was a planned action that had been decided upon at the JOC. The case was referred to the attorney general, Neil Rossouw. Rossouw refused to prosecute the matter.<sup>158</sup> Notably, Magistrate Hoffman made a different finding in the Crossroads case, stating that Mali and Vetman were killed during legitimate police actions to combat unrest.<sup>159</sup>

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<sup>154</sup> Document headed KMDMT WP/KS3/309/1, Ops Beplanning: Onlussituasie, dated 14 October 1985, retrieved from SAP sources by the TRC investigation unit.

<sup>155</sup> TRC statement CT00723/FLA.

<sup>156</sup> Inquest numbers 493/87/8, 494/87/8, and 495/87/8, Wynberg Magistrate's Court, held on 7 December 1987.

<sup>157</sup> State vs Surja and 12 others, Athlone Magistrate's Court.

<sup>158</sup> The families of Magmoed and Miranda subsequently made legal history when they embarked upon a costly and lengthy private prosecution. The private prosecution was, however, seriously weakened when Judge J. Williamson ruled that the record of the inquest could not be admitted as evidence in the private prosecution, because of the possibility that the 13 accused may have incriminated themselves. The accused were acquitted. The final leg of the legal battle waged by the families was dealt with by Justice William Corbett of the appellate division of the Supreme Court who, on 26th November 1992, ruled against the families' appeal for a re-trial on the grounds that the admission of the inquest record would not necessarily have produced a conviction. Information from the TRC's Western Cape Investigation Unit report.

This was possibly not the last 'ambush' style shooting in 1985. A newspaper report states that a health worker said that one of two men shot dead on 22 October was killed by police riding in a delivery van. "Youths had stoned the van on Lansdowne Road and security forces hiding inside the van had leapt out and opened fire."<sup>160</sup>

A few cases can be identified in early 1986. Thanduxolo Cingo described an incident to the TRC in February 1986 in Khayelitsha. There was stone throwing taking place in Khayelitsha at the time, targeting mainly business vehicles. Cingo states that members of the security forces who were disguised as ordinary workers in a bakkie shot him with birdshot. He was then arrested, assaulted while suffering from his birdshot injuries, and detained.<sup>161</sup>

In what appear to be 'revenge attacks' after two policemen were killed in Crossroads on 25 March 1986, security forces engaged in ambush type shootings in and around Crossroads. On the same day, Major Loedolff and Lt Bester of the SA Railways authorised an operation in which members of the SARP and SAP Riot Unit were concealed on the back of an unmarked truck under a sail and opened fire on protesters near Crossroads. Lennox Thabang Maphalane, 16, and Goodman Bongani Dastile were killed and several others wounded.<sup>162</sup>

The following day, Eric Heynes, 31, Andile Dan Mankayi and another unidentified person were killed when W/O Barnard, Sgt Smith and Sgt McMaster concealed themselves in a house near Crossroads, and then burst out opening fire on protesters.<sup>163</sup>

#### Public Order Policing from 1986

The numbers of fatalities at the hands of the security forces plunged dramatically in 1986. A study by the head of UCT's Department of Forensic Medicine of 102 unrest-related deaths in the first six months of 1986 found that only sixteen of these were fatal shootings by security forces<sup>164</sup>.

<sup>159</sup> Inquests 646/87/8 and 647/87/8, Wynberg Magistrate's Court, held on 23 February 1988.

<sup>160</sup> *The Argus*, 22 October 1985. *Cape Times* 23 October 1985.

<sup>161</sup> TRC statement CT00739/HEL.

<sup>162</sup> TRC statement CT00706/FLA, inquests 149/86 and 150/86, Guguletu MR 447/3/86. Some of the SARP members involved here were also on the October 1985 Trojan Horse vehicle, including Sgt J Sayer, Sgt AM Smit and Major C Loedolff.

<sup>163</sup> TRC statement CT00824/FLA. Inquest numbers 143/86/7 and 162/86/7, Wynberg Magistrate's Court, held on 23 September 1986.

<sup>164</sup> Seven of these would be the Guguletu Seven shot dead on 3 March 1987, described in Chapter 4. Knobel, (1986), page 87.

The remaining 86 were all civilians killed by other civilians, of which 68 were related to the witdoeke attacks of May and June 1986. He links only 3 shooting deaths to security forces during the witdoeke attacks. This figure is questionable since an examination of the cause of death for 53 of the 68 deaths suggests that eleven had bullet wounds, which are much more likely to have been inflicted by security forces than witdoeke or 'comrades' whose weapons were far more informal and tended to stab, hack, beat or burn their victims to death.

In this sense the police appear less implicated in the political violence in the first half of 1986. Yet, as is discussed in the following chapter, the hand of the security forces was deep in the conflict, albeit in a covert manner.

In sharp contrast to the harsh actions taken during 1985 against protesters aligned to the UDF, the police did not act against anti-UDF crowds who engaged in public violence. During January, May and June 1986, crowds of thousands of conservative vigilantes known as the 'witdoeke' marched en masse to areas known to be pro-UDF and burnt and looted them, killing residents who tried to protect their property in the absence of any police protection. In these instances, the police did not shoot a single witdoek or even effect any arrests. The only arrests made were of journalists attempting to cover the events. Although these events are discussed in more detail in the following chapter, they are highlighted here for the purposes of contrasting the attitude of police and the intrinsically ideological nature of their practice of public order policing, which was exclusively directed at those protesting against the state.

It is debatable whether the lower numbers of fatalities and injuries inflicted by the security forces from 1986 was the consequence of a change of strategy or simply a reflection of the lower levels of public protest. An opinion put forward to the TRC was that the lower levels of fatalities and injuries was a reflection of the adoption of the counter-revolutionary 'hearts and minds' strategy by the security forces, through the workings of the JMCs.<sup>165</sup> The Western Cape had a number of dedicated proponents of this model of security management. In particular, Colonel Louis Rheede of the SADF's Group 40 and Mr Ulrich 'Ricky' Schelhase, a township administrator based in the Nyanga/Guguletu area, outlined their zeal for the ideological underpinnings of the security scheme. The strategy emphasised welfarist strategies aimed at 'winning the hearts and minds' of

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<sup>165</sup> Interview conducted with township administrator Ulrich 'Ricky' Schelhase, 13 February 1997. Schelhase in fact was deployed as a 'lecturer/instructor' of this strategy to civil servants and security force members in the Western Cape.

the local population as opposed to the mere brutal suppression of popular unrest. This was seen as a means of undermining support for the resistance groupings.<sup>166</sup>

Whether this approach impacted upon the day to day realities of public order policing cannot be assessed. In general terms, the SAP had a lesser engagement with questions of strategy and principle than the SADF. The declaration of the State of Emergency on 12 June 1986 resulted in mass detentions of top and middle level leadership of the UDF and its affiliates and disrupted the planning echelons of protest activity. Further, the Emergency regulations against public protest drove protest activity 'indoors'. It is far more likely that this level of repression was responsible for the drop in public protest, and as a consequence, the lower levels of injuries and fatalities.

The period 1987 and 1988 saw public order policing incidents largely related to the activities of the special constables. Special constables (SCs) were deployed in Cape Town from October 1986 from the first contingent trained in September 1986. Although recruited from a range of areas, many were taken from the 'witdoeke' camps of Crossroads and from Khayelitsha.

One group was based at the Nyanga police station, forming a 'Special Constable Unit' under the Riot Squad. As such they fell under the overall command of Colonel Visser (head of the Riot Unit in the Cape) and under the direct command in Nyanga of Major Alwyn Burger. The SCs were divided into several platoons. The platoons were subdivided into around seven sections, each section under the command of a (white) sergeant or under-sergeant of the Riot Unit.

Working in shifts of eight hours each, the SCs were sent out on foot patrols into the townships armed with shotguns, batons and handcuffs.<sup>167</sup>

Within two months of their deployment, serious complaints regarding their activities surfaced. Both individuals and entire residential areas experienced violent harassment at the hands of the SCs. For example, on 2 December 1986 the SCs raided the Black City squatter camp. Several residents were arrested, taken to the Nyanga police station where they were forced to do vigorous exercises. They were also punched, kicked and beaten with batons. This course of events was

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<sup>166</sup> From 1986 to 1989, regular workshops were held for those security force members and administrators forming part of JMC structures in which they were instructed in the basic principles of this counter-revolutionary strategy, often termed the McCuen model. Both urban and rural personnel were sent on such courses. Details of workshops can be found, for instance, in the records of the South Cape JMC, at the Oudtshoorn municipal offices.

repeated on 3 December. In addition, several killings and injuries took place at the hands of the SCs during 1987 although it could not be determined whether these were political or criminal.

In particular, political activists and organisations experienced serious and ongoing violations at the hands of the SCs. In June 1987, the Cape Youth Congress (CAYCO, a UDF affiliate) applied for and was granted an urgent interdict in the Cape Town Supreme Court restraining the police and the special constables from interfering with the organisation's meetings and assaulting its members.<sup>168</sup> Allegations of harassment, intimidation, assault, theft and sexual abuse committed by SCs were made in supplementary affidavits to the Court. Indoor CAYCO meetings on 5 April, 21 May and 28 May 1987 in KTC had been broken up violently by the SCs. After the disruptions, those arrested were brutally assaulted and tortured at the Nyanga police station. Two seventeen year old girls stated that the SCs assaulted them after they refused to have sexual intercourse with them. One stated "During the assault, a special constable said I would be released if I had sexual intercourse with him. When I refused, he forcefully touched my breasts and private parts and assaulted me." Another detainee said an SC had taken his money of R100, and his watch during his interrogation.<sup>169</sup>

Such was the level of reckless policing conducted by the special constables that some special constables were actually eventually charged for murder. Notably, however, the two known cases involve the killing of persons who were not UDF supporters. Two Special constables were jailed for the murder of Crossroads resident Mawethu Jevu and two special constables were later charged with the murder of witdoek leader Willie Soga in 1988. No case could be found where a special constable was charged for the killing of a UDF member or supporter.

The Special constables were also incorporated into the political and physical defence of the leadership of the pro-government squatter camps run by Johnson Ngxobongwana and Mali Hoza in Crossroads and Khayelitsha respectively. JMC minutes record the authorisation of the deployment of several SCs as 'guards' for Ngxobongwana.<sup>170</sup> The SCs were also used as private

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<sup>167</sup> Information from affidavits in Cape Town Supreme Court Case No.6120/87, matter between the Cape Youth Congress (CAYCO) and Mzwandile Peter Xeshe vs the Minister of Law and Order and the Western Province Divisional Police Commissioner.

<sup>168</sup> Cape Town Supreme Court Case No. 6120/1987.

<sup>169</sup> Quoted in RMG newsletter, 21 - 23 June 1987.

<sup>170</sup> Minutes of the Executive Committee of the mini-JMC for the black townships on 4 May 1987 state that "Maj Burger [Nyanga station commander] states he has arranged for 24 hour protection for Ngxobs. This consists of 5 special constables personally selected by Ngxobs and 3 others selected by the five chosen men. Arrangements have been made to permanently accommodate

armies in the political and power battles waged by these two leaders in their areas. For example, when conflict broke out between Prince Gobingca and Mali Hoza in Khayelitsha in 1989, special constables were used in a violent attack on Gobingca's home that left several people dead.<sup>171</sup>

### **Resurgence of Public Protest : The 1989 Defiance Campaign**

The Western Cape was the first area to campaign around the hunger strikes initiated by long term State of Emergency detainees in prisons across the country in early 1989, some of whom had spent up to three years in detention. The 'Defiance Campaign' against apartheid laws was launched as a national initiative by the Mass Democratic Movement (the MDM being the formulation used by the UDF and its allies after the organisation was restricted), but the Western Cape was to play a leading role.<sup>172</sup> By March, protest actions resulting in arrests had begun in Cape Town. From mid July to mid September, the Western Cape saw a proliferation of defiance activities targeting a range of apartheid laws resulting in public protest levels and repression reminiscent of the 1985 experience, peaking in opposition to the 'white-only' election of 6 September 1989.

From June 1989, protest action in Western Cape schools fed into the escalation of public political activity.<sup>173</sup> The funeral of MK operatives Robbie Waterwitch and Coline Williams in Athlone in July 1989 were restricted by police but openly displayed banned organisations flags and literature. On 6 August sixteen restricted activists announced their defiance of their restriction orders at an Athlone church service, sparking off a cycle of arrests and continued defiance. On 8 August defiance rallies were held at schools and campuses in the Peninsula, and the UDF was declared 'unbanned' by a mass meeting in St George's Cathedral, followed by a march under the banners of banned organisations.<sup>174</sup> On 12 August restricted activists again publicly defied their restriction orders at a National Women's Day rally in Hanover Park which was then teargassed.<sup>175</sup>

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these people close to Johnson's house." From folder C7/6/7/88 entitled "GBS Swart Gebiede", retrieved from SAP's Thomas Boydell Building by the TRC.

<sup>171</sup> TRC statement CT08605/FLA.

<sup>172</sup> The Defiance Campaign is described in national detail in J. Seekings, The UDF: A History of the United Democratic Front in South Africa, 1983 – 1991, David Philip Publishers, Cape Town, 2000, pages 251 – 255.

<sup>173</sup> Cape Times 10 June 1989; Die Burger 9 June 1989; The Argus 17 June 1989, Cape Times 28 July 1989.

<sup>174</sup> Cape Times 21 August 1989.

<sup>175</sup> Incidents and activities relating to the Defiance Campaign are reported in the RMG newsletter No 25, 31 July – 6 August 1989. See also Weekly Mail 11 August 1989 for an overview of some of the events.

On 19 August, thousands of people set off to defy 'whites only' beaches at Strand and Bloubergstrand in a high profile act of 'Beach Apartheid Defiance'. Some groups in Nyanga were shot at with birdshot in Nyanga while other protesters elsewhere were sjambokked.<sup>176</sup> A young boy, Xavier Robertson, 14, was later paralysed during a demonstration at Strand.<sup>177</sup>

In the following week there were multiple incidents of public protest all over the Peninsula. On 23 August church leaders including Archbishop Desmond Tutu were teargassed on a march in Guguletu,<sup>178</sup> and a visiting international rugby team breaking the sports boycott also led to protests and arrests. On 30 August 170 women were arrested while kneeling during a mass women's march in town.<sup>179</sup> A march of teachers was dispersed next day.<sup>180</sup> This was followed by the 'Purple Rain' day in the city centre on 2 September. In a climax of the defiance campaign, thousands of protesters participated in a three-pronged march to Parliament. The march was dispersed with a purple water cannon machine, and many were beaten with batons. More than 500 people were arrested that day. Cumulatively, over 1000 people were arrested during these defiance activities.<sup>181</sup>

Election Day on 6 September saw severe clashes with police in which the MDM claimed at least 23 were killed, although the police stated that 19 died.<sup>182</sup> Independent sources indicate that 14 were killed.<sup>183</sup> Some of the names that were established are as follows: Liziwe Masokanye, 23, Stellenbosch; Patrick Muller, 13, Bellville South; Joseph Michael Makoma, 25, Kalksteentfontein; Leonard Rass, 13, Kleinvlei; Pedro Page, 18, Grassy Park; Ricardo Levy, 11, Kalksteentfontein; Sulaiman Martin, 26, Mitchells Plain; Yvette Otto, 16, pregnant; Elsie Chemfene, Khayelitsha; Thembinkosi Tekana, Khayelitsha; Thanduxolo Hloniyane, 20, Khayelitsha; Madoda Magxidolo, 21, Khayelitsha; Boyses Mdyogolo, 21, Khayelitsha; Fundo Bhontis, 15, Khayelitsha; Nomthunzi Matshebelele, 5, Khayelitsha; James Matimba, 52,

<sup>176</sup> RMG newsletter No 26, 7 – 13 August 1989.

<sup>177</sup> The Argus, 9 September 1989.

<sup>178</sup> Cape Times 24 August 1989.

<sup>179</sup> Cape Times 31 August 1989.

<sup>180</sup> The Argus 31 August 1989.

<sup>181</sup> The Argus 2 September 1989; Sunday Times 3 September 1989.

<sup>182</sup> Cape Times 13 September 1989; The Argus 19 September 1989.

<sup>183</sup> Die Burger 8 September 1989; Cape Times 8 September 1989; Weekly Mail 8 September 1989.

Khayelitsha; Lubalo Mtikakra, 20, Khayelitsha; Elland Gajana, 30, Town 2; and Mlungiseleli Mabatyi Qhathazana, Khayelitsha.<sup>184</sup>

An estimated 565 people were injured, on Election Day itself and on the preceding and subsequent days. At least 15 of these were critical injuries.<sup>185</sup>

The public horror at the extent of the violence reached into sectors of the Western Cape not previously drawn into opposition activity. The sense of outrage culminated in one of the largest mass marches ever seen in the Western Cape on 13 September, the so-called 'Peace March'. A range of religious, community and political leaders, including the mayor of Cape Town, Gordon Oliver, and members of the city council led the march. It brought Cape Town to a stand still.<sup>186</sup>

Simultaneously, a senior policeman 'broke ranks' and publicly criticised the actions of the police. Lieutenant Gregory Rockman described police action in his area, Mitchells Plain, as 'brutal', saying that the riot squad "stormed the kids like wild dogs. You could see the killer instinct in their eyes".<sup>187</sup> The SAP was forced to initiate an inquiry into the behaviour of the Riot Squad in these incidents as well as the election night violence.<sup>188</sup>

This was the last major public order policing action undertaken by police in this period.

#### **Civilian Casualties of Civilian protests**

Increasingly, casualties in the greater Cape Town area were caused by civilian protesters. This shift takes place between 1985 and 1986. A forensic study<sup>189</sup> identifies 16 civilians killed by

<sup>184</sup> Several of the Khayelitsha deaths including Elsie Chemfene were related to an attack by Mali Hoza's hitsquad of special constables on his erstwhile ally but now political opponent, Prince Gobingca. A close study of the inquests would be required to establish the facts. In the Cape Times of 8 September 1989, police claimed that seven deaths in Khayelitsha were related to 'faction fighting'.

<sup>185</sup> RMG newsletter No 29, 11 – 17 September 1989. The Department of Paediatrics and Paediatric Surgery of the University of Cape Town condemned the widespread shooting of children that had taken place, stating that children as young as 3 were treated at hospitals for serious gunshot wounds allegedly caused by police. Cape Times 9 September 1989.

<sup>186</sup> The Argus 14 September 1989; Cape Times 14 September 1989.

<sup>187</sup> New Nation Vol 4 No 35, Sept 8 - Sept 14, 1989; The Argus 7 September 1989; Die Burger 8 September 1989.

<sup>188</sup> National deputy CID chief Major General Jaap Joubert headed the investigation. The outcome is not known. The Argus 15 September 1989.

<sup>189</sup> Knobel, (1986), page 85.



other civilians (non-security force members) in the 1985 period in civil unrest in greater Cape Town. Six died as a result of petrol bomb attacks and there was one necklacing. Another six died from sharp injuries or firearms injuries. One policeman was stabbed and strangled. A stone thrower was apparently run over by a motorist. A seventeenth person was killed in a handgrenade attack by MK operatives (see Chapter 4) and is thus not counted here.

After 1985, fatalities due to political unrest increasingly resulted from civilian conflicts as opposed to security force action. As cited earlier, a study of unrest deaths in the first six months of 1986 (the numbers of deaths in the second half of the year were substantially fewer, numbering probably less than twenty) found that 84 of the 102 deaths were caused by other civilians.<sup>190</sup> Sixty eight of these deaths related to the witdoeke attacks of May and June 1986.<sup>191</sup>

Deaths and injuries caused by protesters were largely through stonings, arson attacks on properties, and burnings or necklacings.

There were three periods of intense street protest involving the widespread stoning of vehicles, namely the 1985 unrest peak, 1986 and 1989. While in most cases this resulted in smashed windows or light injuries only, there were cases of serious injury and even death of civilians who were the subject of such attacks. The majority of these were centered along Lansdowne Road, Mahobe Drive and Klipfontein Road, and later in 1989, the N2.

The first fatality from stoning occurred in the wake of the Pollsmoor uproar in early September when a white church deacon Cornelius Johan Kapp, 42, died in hospital of head injuries the day after he was hit by a brick thrown by street protesters while driving along Lansdowne Road near Crossroads on 12<sup>th</sup> September.<sup>192</sup> A 45 year old builder Ismail Safodien died after being hit by a stone while sitting at the back of a bakkie near Phillippi in early December 1985.<sup>193</sup> Others incurred serious injuries: Johanna Huysamen was hospitalised with severe injuries when her car crashed after being stoned in Bellville South in late November 1985.<sup>194</sup> The following year, two electricians, Rashid Abrahams and David Nduti, died when their vehicle was stoned in

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<sup>190</sup> Knobel, (1986), page 87.

<sup>191</sup> Knobel's study links security forces to only three of the deaths in the witdoeke attacks. As noted earlier, this is surprising, since at least eleven cases involved shooting. Only a detailed study of the inquest would clarify this matter.

<sup>192</sup> The Argus, 13 September 1985; Cape Times, 14 September 1985; and TRC statement number CT03069/HEL.

<sup>193</sup> Cape Times 4 December 1985.

Lansdowne Road on 28 April 1986. The vehicle crashed, burst into flames and the two were burnt to death.<sup>195</sup> On 24 May 1986 Sydney Rousseau was killed after being hit by a stone by protesters in Manenberg.<sup>196</sup>

No reports could be found regarding deaths from attacks on vehicles in 1987 or 1988 although injuries are reported. In 1989 stoning of vehicles escalated during the defiance campaign activities and election protests. Some motorists were stabbed after being stoned in their vehicles. On 25 August Nototo Sikide and Conrad Erasmus were killed when their vehicles were petrolbombed. Peter Boyd, 64, died after being stoned on N1 near Kraaifontein in late August and Wouter Theron Pienaar, 24, died on 3 September after being stoned near Kraaifontein. On and around Election Day (6 - 10 September), several motorists were seriously injured. One motorist shot and killed a man allegedly stoning his vehicle. On 16 October a group of youths stoned a vehicle in Guguletu which lost control and drove into several children, killing two young girls and injuring more than ten.

In this period there were also widespread arson attacks in local communities on public transport, shops, and the homes of people identified as collaborators. A newspaper article reported that the Financial Mail had estimated the cost of arson-related damage in the Peninsula to be between six and ten million rands.<sup>197</sup> Some arson attacks resulted in injuries and death. For example, in a probable arson attack, one year old Edith Paliso was burnt to death when a Guguletu home was petrol bombed on 29 August 1985, the day after the Pollsmoor march.<sup>198</sup> In a second possible arson attack, bus conductor Simphiwe Vaphi, 20, was burnt to death when a petrol bomb was thrown into his vehicle where he was sleeping at night on 22 September 1985.<sup>199</sup> The study by Duflou indicates six deaths by petrol bomb during 1985 although these could not all be individually identified.<sup>200</sup>

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<sup>194</sup> Die Burger, 30 November 1985.

<sup>195</sup> TRC statement number CT01042/HEL.

<sup>196</sup> Cape Times 24 May 1986.

<sup>197</sup> The Argus 19 October 1985 and Cape Times 11 November 1985. This figure did not include the costs of damage to schools, buses, security force vehicles and privately owned cars or losses through looting.

<sup>198</sup> Newspaper reports suggest that this was an arson attack, not an accident. Die Burger 30 August 1985 as well as the 1985 Salt River mortuary register, entry no. 2665.

<sup>199</sup> The Argus, 23 September 1985. The article identifies the victim as Spowawo Wawa but the mortuary register identifies him as Simphiwe Vaphi.

<sup>200</sup> A report in The Argus on 9 September 1985 indicates that two men burnt to death when a single men's hostel was set alight in Guguletu. Mortuary records identify them as Plaatjies Swartbooi and Mtati Qampu, killed on the 7<sup>th</sup> and 8<sup>th</sup> September respectively, after a mass funeral

'Crowd killings', i.e. attacks by large numbers of people on an individual, were not a significant feature of street protest in Cape Town. They were however an element of internecine political conflict within the African townships, discussed below.

There are two well known cases of killings during mass protest situations.<sup>201</sup> At the funeral of police shooting victim Ebrahim Carelse on 11<sup>th</sup> September 1985 in Salt River, Constable JJ Farmer (23) was recognised as a policeman although in plainclothes and was stabbed, strangled and beaten to death by the crowd. While under attack he fired a shot seriously injuring a mourner. Moulana Faried Esack attempted to intervene and rescue Farmer but the policeman died on the scene.<sup>202</sup>

In a second memorable incident in 1986, a suspected 'collaborator' was identified and killed during a UDF mass meeting. On 25 May 1986 Moegsien Abrahams, 22, was amongst a large crowd attending a mass UDF protest rally in Mitchells Plain.<sup>203</sup> During the meeting he was reported to be an 'informer'. Despite efforts by the UDF leadership on the stage to protect him after elements in the crowd attempted to assault him, he was released outside the hall. He was then pursued by a group of youth and fled into a nearby house where he was stoned, beaten and stabbed to death.<sup>204</sup> The UDF issued a statement after the killing stating that

*"[t]he UDF regrets the loss of life of Moegsien Abrahams. However, it is important that we understand his untimely death in context. The context is provided by the growing polarization and concomitant anger which flows from the apartheid ordering our society. His death occurred in a manner which the UDF cannot be responsible for. ... In the light of this, the UDF cannot and will not take responsibility, whether directly or indirectly, for his death. The blame rests four square on the shoulders of those responsible for the breeding of hatred and anger by their maintenance of apartheid, against the will of the people."<sup>205</sup>*

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in Guguletu for unrest victims at which two further people were shot dead by police, namely Roadwell Thembekile Judula, 28, and Livingstone Lindile Mandula, 23.

<sup>201</sup> Newspaper reports indicate that a crowd killed a man identified as a community councillor on 7 December but this could not be confirmed.

<sup>202</sup> The Argus 12 September 1985.

<sup>203</sup> TRC statement numbers CT01123/FLA and CT00149/FLA.

<sup>204</sup> A young member of the Bonteheuwel Military Wing applied to the TRC for amnesty for the killing but later withdrew his application.

<sup>205</sup> The Argus, 28 May 1986.

In the last weeks of October and early November 1985, a certain amount of conflict emerged around what appeared to be an anti-shebeen campaign in the African townships<sup>206</sup>. It was alleged that on several weekends, starting from the weekend of the 18<sup>th</sup> and 19<sup>th</sup> October, large crowds of youth had moved from shebeen to tavern and destroyed their liquor stocks, as well as assaulting groups of drinkers.<sup>207</sup> Police said that about 40 to 50 shebeen-related complaints had been lodged at the Guguletu police station alone.<sup>208</sup> Township student bodies denied involvement alleging 'tsotsi elements' were involved in the attacks.<sup>209</sup>

During this period, there were few armed attacks by ordinary protesters upon either security personnel or other civilians beyond stones and petrol bombs. Isolated shootings did occur however. In one incident, a member of the SAP was shot and seriously wounded by the crowd at St Athans Mosque in Athlone on 16 October 1985 after which police opened fire and Abdul Fridie, 29, was shot dead.<sup>210</sup> This incident, which also involved the teargassing of the mosque, appears to have motivated four young Muslims to rob two security guards for their weapons at Lincoln Tavern, Athlone on 30 November 1985. One security guard, Frank Joseph, was fatally shot.<sup>211</sup>

Burnings and necklacing of individuals only emerged in the Peninsula towards the end of 1985, peaking in 1986, and thereafter almost completely disappearing. This practice did not become as prevalent in Cape Town as in other regions such as the Eastern Cape. The question of definition becomes important here – bodies were frequently burnt after killing by other means. Forensic experts have noted that many if not most of the cases of burnings had underlying stab, firearm or blunt instrument injuries. "In the [28] cases of homicidal burning, there was blunt object injury in all cases; 16 cases had incised wounds and four had also been shot."<sup>212</sup> In addition, cases where people have burnt to death in arson attacks on their homes or vehicles may or may not be included in 'burning' statistics.

<sup>206</sup> The Argus 14 November 1985 states that "in other incidents of unrest, shebeens in Guguletu were attacked yesterday".

<sup>207</sup> An uncorroborated report links two deaths in Langa to this campaign: Josiah Ngwadla, 30, and Martin Sampson, 24. Cape Times 29 October 1985.

<sup>208</sup> Cape Times 29 October 1985.

<sup>209</sup> The Argus 7 November 1985.

<sup>210</sup> TRC statement CT00607/FLA. Cape Times 19 October 1985.

<sup>211</sup> Nazir and Said Ahmed Bhawoodien and Moegamat and Nazeem Abrahams were later charged and sentenced 16 years imprisonment for the killing, later to be released as political prisoners in the early 1990s. Focus, No 72, September – October 1987, page 7. Rushdien Abrahams escaped from custody and went into exile.

This problem of definition makes any numerical estimation difficult. Nevertheless, an estimation of around thirty cases in the 1985 to 1989 period can be made. However, the bulk of burning and necklacing cases form part of broader conflicts around the squatter communities of the Cape. They almost all take place in and relate to issues within these informal settlements.

In an exceptional case, newspapers reported in late November 1985 that a Guguletu matric pupil, Zolile Zuhu Golela, who defied the school examination boycott narrowly escaped being necklaced by a crowd of students. He managed to flee after a petrol filled tyre was placed around his neck. His family home was later burnt down.<sup>213</sup>

The first publicly reported case in the Cape Peninsula occurred on 28 October 1985. Rebecca Nonzuzo Ngwevushe, 36, who was pregnant, was assaulted, strangled and burnt to death.<sup>214</sup> The attack appears to have been related to the ongoing uncertainty and trauma within Crossroads around the divisive question of the state-sponsored move to Khayelitsha. She was perceived by some local residents as being part of the squatter community under Jerry Tutu that was in favour of moving to Khayelitsha, being romantically linked to one of his committee members. The move to Khayelitsha was bitterly opposed by other sectors of the residents.

The burning to death of 46 year old community councilor Archibald Sigangatana Siqaza<sup>215</sup> on 24 December 1985 represents the only 'classic' case of a perceived collaborator being killed spontaneously by an angry crowd at the funeral of an unrest victim. During the funeral of thirteen year old police shooting victim Andile Selane on 24<sup>th</sup> December, Siqaza drove past the Guguletu cemetery in his car. He was stopped by the crowd, assaulted and burnt to death.

### **Concluding Comments**

The greater Cape Town area bears all the hallmarks of the state's militarised approach to public order policing where protest actions borne of social and political grievances are equated with a

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<sup>212</sup> JALC Duflou, DL Lamont and GJ Knobel "Homicide in Cape Town, South Africa" in The American Journal of Forensic Medicine and Pathology 9(4) 1988, page 291.

<sup>213</sup> Cape Times 14 November 1985; Die Burger 14 November 1985.

<sup>214</sup> Cape Times 30 October and 13 November 1985. Salt River mortuary register 97, entry number 3438. The post mortem states that the cause of death was "not inconsistent with a head injury and strangulation followed by burning". Guguletu case docket MR 604/10/85 refers. TRC statements CT01349/FLA and CT01342/FLA.

'terrorist' security threat to the state. The violent dispersal of the Pollsmoor march, a symbolic effort led by community and church leaders, is a classic example of this. Similarly, the tactic of ambushing civilians is suggestive of guerilla warfare in rural areas and was profoundly inappropriate for the urban context of community protest.

Different forms of street protest took place in the Cape Peninsula. Firstly, 1985 saw a widespread and often spontaneous revolt in which political organisations played a role but by no means a determining role. The character of protest in the August - November 1985 period is one of widespread mobilisation of ordinary residents that at moments could be regarded as 'insurrectionary'.

The episodes of 1986 relate to the violent encounter between pro-and anti-government forces in the African townships. This too was not primarily organisationally driven, but gained momentum from the contestations of internal social organisation and the encouragement of the state. The clashes of 1989, however, arise directly out of organisational directives, campaigns and planning. These three periods thus contain significant differences in both origin and form. However, all three had fatal consequences in terms of state response.

In all, it can be estimated that around between 100 and 150 people died directly at the hands of the security forces in the context of public order policing in Cape Town in this period. In only one case (State versus E Villet, regarding the death of Sarah van Wyk on 29 August 1985) were police officers charged (later acquitted) for the deaths. The Guguletu Seven case saw the inquest re-opened. The Trojan Horse inquest found the security forces responsible, although charges were declined. Aside from these cases, these public order policing deaths were given judicial sanction through the inquests. This climate of impunity remained intact even into the 1990s.

However, from 1986 the security forces are no longer the direct causes of casualties from public protest. From this point on, with the exception of the 1989 election killings, civilians die primarily at the hands of other civilians during political protests or conflicts.

Despite the scale and extent of the 1985 revolt in the Peninsula, the casualty figures for 1985 are actually a little lower than those experienced in 1976. Several reasons for this can be postulated. Firstly, the 1976 protests came after a long lull in public protest actions. Although the Riot Unit

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<sup>215</sup> TRC statement number CT01340/FLA.

had been set up shortly before the 1976 revolt, few had received riot control training with and had little practice in policing such wide scale street protest. Ordinary police personnel were drawn in to quell the revolt. In the words of the TRC's report:

*" ... The SAP were not equipped to deal with a domestic uprising of the scale that they faced in June 1976. The police who faced massive protest marches at that time were ordinary police officers drawn from nearby stations, possessing no special skills or training in handling crowds. Their lack of capacity was reflected in their tendency to use maximum force. The absence of a rehearsed response to such situations made it necessary for the police finally to rely on the army to quell the uprising. "*<sup>216</sup>

Further, the extent of community and sector organisation was far more developed in 1985 than in 1976, with an accompanying emphasis on more organised forms of protest: marches and public meetings with broader community participation. Thirdly, the level of international attention and condemnation was far more sharply present in the minds of the state than it was in 1976. By 1985 there was a more sustained sanctions momentum in the international community. These last two factors doubtless played a role in demanding restraint and the use of less lethal forms of public policing such as batons and teargas.

A demographic analysis of the casualties of public order policing reveals something of the characteristics of those at the forefront of street protest. Perhaps unsurprisingly, they are male, under 25 years old, and unmarried<sup>217</sup>. This is not necessarily an indicator of all participants in public protest, many of whom were female for example.

Further, while the 1976 revolt resulted in an equal distribution of victims amongst the Coloured and African areas and the 1980 protest action saw a high Coloured victim profile, this picture shifts in 1985 when the victims are predominantly, and increasingly, from the African townships. Sixty of the dead were Africans and 27 were Coloureds. In general terms, fatalities from public order policing in the Coloured areas occur again only in 1989.

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<sup>216</sup> TRC Report, Volume 2, Chapter 3, page 175.

<sup>217</sup> Marital status is usually specified in the registers at Salt River mortuary.

## CHAPTER 3

### POLITICAL ORGANISATION: STATE ACTION AGAINST THE STRUCTURES AND STRATEGIES OF THE INTERNAL OPPOSITION

*“The chairman [PW Botha] points out that he is convinced that the brain behind the unrest situation is situated inside South Africa, and that it must be found and destroyed. Action thus far has been too reactive, and the security forces must attend to this urgently.”*

Minutes of the State Security Council meeting held on 18 July 1985.<sup>218</sup>

The previous chapter delineated the unfolding of both peaceful and violent protest actions by supporters and members of internal resistance organisations in Cape Town and the context and nature of state repression of this form of resistance. Simultaneously, the state cracked down on what it saw as the source of the violence, namely the UDF and its organised formations and affiliates. This chapter examines the central mechanisms used by the state and its local representatives in Cape Town to crush, contain or counter the UDF as an organisation and its activists, a crackdown which both mirrors and differs in some respects from the national picture. For despite the array of left leaning organisations active in Cape Town, it was the UDF and ANC and its supporters who would experience the lion's share of state repression and violence.

These repressive mechanisms included detentions, torture of certain categories of detainees, restrictions and bannings. The UDF was also the target of various sabotage attacks by the security branch and the military. At a more complex level, the state also engaged in covert support to semi-organised vigilante groupings through its counter-revolutionary strategy of contramobilisation. These are the central forms of repression examined here that sought to crush organised opposition in Cape Town.

Although the UDF adopted a non-violent programme of protest, some of its supporters, particularly militant youth, engaged in violence in furthering the goals of the organisation. Some aspects of these forms of attacks in the greater Cape Town area were outlined at the end of the previous chapter. These actions were in contravention of UDF official policies but were believed by their perpetrators to be in accordance with the organisation's strategic objectives. Unlike the

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<sup>218</sup> State Security Council minutes, Extra-ordinary session, held on 18 July 1985. The minutes are held in the National Archives, Pretoria.



exiled liberation movements which had formal military structure with clear lines of command, the UDF and MDM were civilian structures with little direct control over its member organisations and supporters.<sup>219</sup> In their submission to the TRC, former UDF leadership stated that:

*“The dominant political image in the mid to late nineteen eighties was that of intense contest between people’s power and apartheid power. In this context many activists interpreted statements by the UDF and its allies making reference to breaking down apartheid to mean that this should be done by means of violence. The UDF was confronted with growing anger and impatience on the ground, its leaders expressed their support for the use of force in self defence against agents of apartheid state. This was particularly the case where physical attacks were carried out against leaders and activists and where violent attempts were made to disrupt UDF meetings. In this context the UDF faced the dilemma of seeking to conduct a peaceful struggle under conditions which gave more credibility to violent confrontation on one hand and where on the other the UDF lacked the capacity to exercise the kind of control which is peculiar to command groups or military organisations”.*<sup>220</sup>

There was substantial blurring of the boundaries of allegiances to the UDF and to the ANC. It was in fact often the UDF which enacted ANC campaigns. For example, while it was the ANC that called for a ‘People’s War’ it was mainly UDF members and supporters who were the ‘shock troops’ enacting this call to action. The UDF itself promoted the concept of ‘People’s Power’ and the idea of ‘ungovernability’ in the same period. This saw the UDF attempt to dismantle government and security force control and win control of administrative, welfare and judicial functions in the townships. This included establishing forums to administer civil and criminal justice through ‘people’s courts’.

While accepting political and moral responsibility for the actions of its supporters, the former UDF leadership told the Commission that such actions were against the policies of the UDF and were often the result of youths acting outside an organisational framework. It should also be recalled that the bulk of the UDF leadership at national and regional level spent long periods in detention under the state of Emergency, with others facing trials.

*“When we were taken into prisons they were left without leadership and many of them, angry even at our arrest, did things which were irrational.”*

They recognised that some UDF campaigns had *“unintended consequences [which] could in some instances fall within the definition of gross violations of human rights such as assaults, loss*

<sup>219</sup> TRC Report, Volume 2, Chapter 4, page 377

<sup>220</sup> Submission by the former leadership of the United Democratic Front to the TRC, Cape Town, 6 May 1998, TRC website ([www.truth.org.za](http://www.truth.org.za))

*of life and causing extreme fear among perceived and real opponents of the struggle for freedom and democracy.*"<sup>221</sup>

The TRC found that the UDF should bear some degree of responsibility for the violations incurred in its name. The UDF facilitated these violations through campaigns, public statements, slogans and speeches that created the impression that such actions were sanctioned, as well as through the absence of any disciplinary sanctions.<sup>222</sup>

The question of the relationship between the eruption of violent resistance between 1984 and 1986 and the UDF at national and regional level is one that requires greater attention. The state essentially identified the UDF as the internal wing of the ANC and blamed the township revolt on the UDF. This is evidenced by its efforts to charge the leadership of the UDF at both national and regional levels with a range of charges ranging from treason, sedition and subversion.

Three sets of treason trials unfolded during the second half of the 1980s involving mainly UDF leadership. In Natal, 15 UDF and union leaders were indicted for treason in April 1985. Charges against them were dismissed in June 1986. The Delmas treason trial saw 22 Transvaal and national UDF leadership figures indicted in January 1986. The eleven who were convicted and sentenced to terms of imprisonment had their convictions overturned by the Appellate Division in late 1989. Five Alexandra Action Committee members were charged in January 1987 with sedition and subversion but were acquitted in April 1989.<sup>223</sup> There were indications that in 1989 the state was seeking to charge thirty Eastern Cape activists regarding the implementation of consumer boycotts.<sup>224</sup> Notably, no Western Cape UDF regional figures faced such charges or trials.

Yet there is little evidence that the UDF played any meaningful national co-ordinating role in the revolt that peaked between 1984 and 1986. Mark Swilling asserts that the "history of township revolt was not due to strategies formulated and implemented by the UDF's national leadership."<sup>225</sup>

<sup>221</sup> UDF submission to the TRC, 6 May 1998.

<sup>222</sup> TRC Report, Volume 2, Chapter 4, page 378.

<sup>223</sup> R. Abel, *Politics by Other Means: Law in the Struggle against Apartheid, 1980 – 1994*, Routledge, 1995, pages 311 – 384. Abel describes the Alexandra Treason trial in detail.

<sup>224</sup> D. Webster and M. Friedman, "Repression and the State of Emergency: June 1987 – March 1989" in *South African Review* 5, Ravan Press, Johannesburg, 1989, page 24.

<sup>225</sup> M Swilling, "The United Democratic Front and Township Revolt" in W Cobbett and R Cohen (eds), *Popular Struggles in South Africa*, Africa World Press Inc, 1988, page 90.

This view is shared by Jeremy Seekings, at least in relation to the early 1984/85 stages of the revolt, citing Howard Barrell's view that the UDF was "leading from behind".<sup>226</sup>

*"Contrary to the government's allegations, the UDF's direct role in the initial stages of the township revolt was limited. The UDF's national leadership was decimated by detentions in late 1984, and its regional leadership was often cut off from the townships where the revolt was concentrated. Then, too, the UDF was ill suited to playing an active role in local protests. It was generally seen as a co-ordinating forum for specific national campaigns."*<sup>227</sup>

In Seekings, view, the UDF managed to retrieve its leading role from the end of 1985 and was able to establish 'political hegemony' inside the country.<sup>228</sup>

At regional level however, a great deal more research on this question could be done. In the Western Cape, it is evident that the campaigns adopted by the Western Cape UDF and its affiliates such as the consumer boycott and school boycotts provided significant impetus to the severe period of unrest that erupted between August and December. In particular, it was the Pollsmoor March called and led by the UDF that was to provide the spark. Nevertheless, it is more likely that individual affiliates such as the local student action committees (such as the Athlone Student Action Committee (ASAC), the Mitchell's Plain Student Action Committee (MIPSCO) and the Bonteheuwel Inter-Schools Congress (BISCO)) and CAYCO that facilitated protest actions on a day to day basis. Seekings makes the point that the Western Cape was one of the regions in which affiliates played a stronger and more autonomous role, and in which strong sub-regional UDF structures such as the area committees also functioned.<sup>229</sup>

The case of the Bonteheuwel Military Wing (BMW) provides some useful pointers to the question of the relationship between UDF structures and violent protest. From 1986, a group of youth linked to the UDF-affiliated Bonteheuwel Inter-School Congress (BISCO) began a covert programme of militant armed or arson attacks on the homes, property and transport of persons identified as targets. The actions of this group, which later came to be known informally as the BMW, were by no mean spontaneous. The group developed with the knowledge and indirect endorsement of the more public UDF leadership in Bonteheuwel and acted to keep the 'pot on the

<sup>226</sup> Seekings, (2000), page 132, citing H Barrell, Conscripts to Their Age: African National Congress Operations Strategy, 1976 – 1986, Unpublished D.Phil thesis, Oxford University, 1993, Chapter 8.

<sup>227</sup> Seekings, (2000), page 120.

<sup>228</sup> Seekings, (2000), page 193.

boil' in Bonteheuwel. The BMW thus constituted a deliberate attempt to create and sustain a climate of 'ungovernability' in Bonteheuwel. Those Bonteheuwel UDF activists engaged more in higher profile public organisational mobilisation and campaign work deliberately kept a distance from the BMW group.<sup>230</sup> The 'militants' were thus kept separate from the those engaged in building organisation.<sup>231</sup>

On the other hand, other examples in Cape Town point to a serious absence of any meaningful links between youth militants and UDF leadership. During late 1987 into early 1988, an internal split within UDF supporters in the KTC informal settlement led to arson attacks and even killings. The collective efforts of UDF, church groups and even the national youth organisation SAYCO (South African Youth Congress) were not sufficient to rein in attacks by UDF supporting youth. A group of local UDF activists were even secretly flown to Lusaka to meet with the ANC in an effort to bring about peace. While the conflict eventually died down, the saga points to the strong role of purely local elements in creating conditions of violence beyond the reach or authorisation of UDF regional or local leadership.<sup>232</sup>

State strategy did not countenance such nuances and diversity. As a consequence, legal and extra-legal forms of repression were unleashed upon the UDF as a structure and upon its activists and supporters. Most obvious of these were the arrests and detentions of individuals.

### **Detentions, Bannings and Restrictions**

While a final figure of the number of people detained in Cape Town between 1985 and 1989 for varying periods of time cannot be estimated with any certainty, it certainly exceeds two thousand and may well be closer to three thousand. This figure would include all forms of detention, including Section 29 detentions that are discussed in Chapter 4. It would not however include the

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<sup>229</sup> Seekings, (2000), pages 17 and 82.

<sup>230</sup> Interviews conducted with former Bonteheuwel UDF activists Suleiman Isaacs and Desmond Grootboom, June 1998.

<sup>231</sup> For more detail on the BMW, see the following publications. TRC Report, Volume 3, Chapter 5, pages 482 to 485, paragraphs 309 to 322 as well as Volume 4, Appendix to Chapter 9, pages 278 to 281; Y Henry "The Bonteheuwel Military Wing (BMW)" submission to the TRC, July 1998. Also see Chapter 6 "Violence in urban communities: Bonteheuwel and Crossroads" in D. Skinner, Apartheid's Violent Legacy: A Report on Trauma in the Western Cape, Trauma Centre for Victims of Violence and Torture, Cape Town, 1998.

<sup>232</sup> Author's personal recollections.

thousands of people arrested and held in custody overnight or detained briefly for a few hours or days, nor would it include awaiting trial prisoners.

These detainees endured weeks, months and even years in certain cases of detention without trial. While such detentions did take place within a legal framework, albeit of the apartheid state, detention without trial is internationally regarded as a human rights violation. Further, the state sometimes refused to disclose the names and quantities of those being held under the various forms of security legislation. There was thus a degree of concealment around security detainees and as such constituted a state action kept out of public scrutiny.

Prior to the extension of the State of Emergency to the Western Cape on 26 October 1985, the majority of detainees were held under Section 29 and Section 50, generally for periods of less than three months. As the levels of organisational and street protest escalated from July, the rate of detentions increased. Around thirty two UDF leadership figures in Cape Town including Allan Boesak were detained on the eve of the Pollsmoor march and held under Section 29 for just under a month.<sup>233</sup> While efforts were made by the state to charge Boesak for sedition, these were later abandoned.

Following the eruption of widespread unrest in Cape Town described in the previous chapter, the State of Emergency was extended to the Western Cape on 26<sup>th</sup> October. Midnight raids during the night of the 25/26<sup>th</sup> October resulted in mass detentions, targeting predominantly the leadership of UDF affiliate organisations.<sup>234</sup> Sixty nine were detained that night and over the following two weeks at least four hundred people were detained. Twelve of the fourteen UDF Regional Executive Committee members were among those detained.<sup>235</sup>

The first state of Emergency in the Western Cape lasted 132 days until it was lifted nationally on 6 March 1986.<sup>236</sup> Approximately 1300 people were detained in and around Cape Town.<sup>237</sup> The detainees included leadership as well as ordinary activists from UDF affiliate structures. As the scale of street protest escalated after the Pollsmoor march, many ordinary protesters also found

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<sup>233</sup> The Argus 24 August 1985.

<sup>234</sup> M Hall, "Resistance and Rebellion in Greater Cape Town, 1985" presented at the Western Cape: Roots and Realities conference, University of Cape Town, July 1986, page 20.

<sup>235</sup> Seekings, (2000), page 162.

<sup>236</sup> The Argus 7 March 1986.

<sup>237</sup> Cape Times 13 December 1985. RMG newsletter No. 36, 10 – 16 November 1986. Note that the figure of 1300 includes the rural areas.

themselves arrested and then held in detention. The detainees were from a very broad cross section of Cape Town, including teachers, clergymen, journalists, attorneys, students, unemployed people and pensioners. They included Africans, Coloureds and some whites. More than fifty youth under the age of 18 were included, some as young as eleven<sup>238</sup>. In one incident an entire school of 510 pupils was detained for questioning in November for a day, with 18 of the pupils then being held for longer periods under the Emergency.<sup>239</sup>

Some detainees embarked on hunger strikes in protest. Sympathy relay fasts and candlelight marches were begun by organisations opposing detention without trial throughout November and December 1985. Wednesday nights in this period were marked in many suburbs and townships by a 'lights-out' candlelight evenings.<sup>240</sup>

Most detainees were held for two weeks or longer and were placed in prisons such as Pollsmoor, Victor Verster and Brandvlei, although some were held in police station cells

Most detainees were released by the end of December 1985. Several were released subject to restrictions on their movements and activities, including for example unionists Elizabeth Erasmus, Rae Lazarus, and student activist Llewellyn McMaster<sup>241</sup>. Ongoing sporadic Emergency detentions occurred until the lifting of the State of Emergency on 7 March 1986 while Section 29 detentions actually increased during the first six months of 1986. Section 29 detentions are described in more detail in Chapter 4 as they came to be almost exclusively applied to those suspected of underground military involvement.

Cape Town experienced the same mass swoop in the early hours of 12 June 1986 as other regions did with the declaration of the second State of Emergency across the country.<sup>242</sup> Approximately 160 individuals were detained immediately with the number growing over the next few days and weeks, including many of the same individuals detained in 1985.<sup>243</sup> The Repression Monitoring Group recorded a minimum of 352 detentions in the urban Cape Town area over 1986.<sup>244</sup> The majority of these detainees were released by the end of 1986, although a significant group were to continue their detentions into 1987.

<sup>238</sup> *Cape Times* 28 November 1985.

<sup>239</sup> *Cape Times* 8 November 1985.

<sup>240</sup> Hall, (1986), pages 23 and 24.

<sup>241</sup> RMG newsletter No. 27, 8 – 14 September 1986.

<sup>242</sup> *The Argus* 12 June 1986; *The Argus* 10 July 1986.

<sup>243</sup> RMG newsletter No. 20, 21 – 27 July 1986.

The Western Cape also experienced a harsher form of the State of Emergency in that the SAP's divisional commander Brigadier CA Swart specifically issues orders prohibiting the UDF and 118 other named organisations from holding meetings, issuing pamphlets or publications, and making press statements.<sup>245</sup>

Detentions were by no means limited to activists alone. Several journalists and photographers were detained. A doctor delivering a stove to refugees from the witdoeke attacks was detained.<sup>246</sup> One remarkable incident involved an entire church congregation. One hundred and eighty nine congregants were detained on 15 June 1986 while attending a commemoration service at the St Nicholas Anglican church in Elsies River.<sup>247</sup> While most were released after one week, fifty of the congregants were held for nearly a month.<sup>248</sup> In another instance, a Roman Catholic nun Sister Claire Harkin was arrested and detained on 23 June 1986 when she pleaded with an SAP member to stop assaulting a young man. She was freed after 17 days when the Supreme Court ordered her release.<sup>249</sup>

The Western Cape also experienced what could be described as the 'Gulag system', where targeted opposition leaders were subjected to prolonged detention with no prospect of release.<sup>250</sup> This again followed a similar pattern to the rest of the country. In Cape Town a small but significant group of leading activists were held for very lengthy periods. The longest of these were Trevor Manuel (690 days), Mziwonke 'Whitey' Jacobs (574 days), Lizo Kapa (more than 387 days), Ebrahim Rassool (398 days), Willie Hofmeyr and Gloria Veale (both 166 days).<sup>251</sup>

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<sup>244</sup> RMG newsletter No. 10, 6 – 12 1987. This number is however somewhat artificially inflated by the mass arrest of an entire church congregation.

<sup>245</sup> G Kruss, "The 1986 State of Emergency in the Western Cape" in South African Review 4, Ravan Press, Johannesburg, 1987, page 174.

<sup>246</sup> The Argus, 8 July 1986.

<sup>247</sup> The arresting officer was Captain van Schalkwyk, of the Bellville Riot Unit who was implicated in several public order policing cases. In one of these, a magistrate found that he had perjured himself in court. He was later transferred from the Riot Unit. The events of the Elsies River church mass detentions were described in papers before the Supreme Court. Captain van Schalkwyk allegedly marched down the aisle of the church, pulled Dr Stevens off the altar with such force that Stevens fell to the ground. He then announced that the gathering was an illegal gathering and ordered the arrest of the congregants. The Argus 25 June 1986.

<sup>248</sup> RMG newsletter No. 10, 6 – 12 April 1987.

<sup>249</sup> The Argus 7 July 1986 and 10 July 1986.

<sup>250</sup> D. Webster & M. Friedman, "Repression and the State of Emergency: June 1987 – March 1989" in South African Review 5, Ravan Press, Johannesburg, 1989, page 18.

<sup>251</sup> RMG newsletters No. 18, 13 – 19 June 1988, No. 27, 26 September – 2 October 1988, and No. 28, 3 – 9 October 1988. This does not include those held under Section 29 who then also remained in custody while on trial prior to sentencing, often a matter of some years.

Some of these were redetained a few months after their release, including both Manuel and Hofmeyr. Lizo Kapa was redetained five months after his release.<sup>252</sup> Student activist Gloria Veale was held for 166 days and later redetained for a further 61 days.

The period 1987 - 1989 saw more selective and smaller scale detentions. These detainees were almost exclusively linked to the UDF, being mainly leadership figures from affiliate organisations such as CAYCO, UWCO, student and teacher groups. The 1988 total for the whole of the Western Cape was listed by the Repression Monitoring Group as between 187 and 219.<sup>253</sup> Detentions also occurred around particular events or campaigns. For example, nine UDF activists were detained in July 1988 for about one month during the planning of the UDF's fifth 'birthday' celebrations.<sup>254</sup> Another ten were detained in September. By early 1989 the number of Emergency detainees had dwindled to a handful, although the activities of the Defiance Campaign would see the detention reach over 50 again.

Nationally, the UDF itself was subjected to severe restriction orders in February 1988, which essentially amounted to a banning order.<sup>255</sup> Among the sixteen other mainly national organisations named in the order were two Cape Town affiliates, namely the Cape Youth Congress (CAYCO) and the Western Cape Civic Association (WCCA).

After the imposition of these restrictions on the UDF, the state began imposing extensive restriction orders upon released detainees and others. These restriction orders usually involved a 6pm to 6 am house arrest, confinement to a magisterial district, as well as having to report to a police station twice a day. The long term detainees were particularly targeted for restriction orders, thus continuing their imprisonment beyond the confines of a jail. Those restricted in Cape Town included: Joseph Marks, Joey Marks, Willie Hofmeyr, Dorothy Zihlangu, Rose Sonto, Christmas Tinto, Zoli Malindi, William Thomas, Trevor Manuel, Whitey Jacobs, Mountain Qumbela, Hilda Ndude, Ebrahim Rasool, Neville van der Rheede, Walter Mputing, Wilson Sedina, Amy Thornton, and Harold Harvey.<sup>256</sup>

<sup>252</sup> RMG newsletter No. 26, 12 – 18 September 1988.

<sup>253</sup> Webster & Friedman, (1989), page 22.

<sup>254</sup> RMG newsletters No. 19, 4 – 10 July 1988 and No. 20, 25 – 31 July 1988.

<sup>255</sup> Seekings, (2000), page 227. The only actions permitted to these organisations were the maintenance of their accounting books and taking legal advice.

<sup>256</sup> RMG newsletter No. 1, 23 – 29 January 1989. Three Oudtshoorn activists were also restricted: Reggie Oliphant, Derrick Jackson, and Mbulelo Grootboom.



As part of the UDF's Defiance Campaign adopted in 1989, these restricted persons engaged in open defiance of their restriction orders. Several were charged, but charges were later dropped.

Throughout the period 1985 to 1989, detainees were predominantly UDF activists or supporters. Certain PAC and Qibla detainees can be identified but these remained a minority.

## **Torture**

A fairly limited number of people in the greater Cape Town area came to the TRC to make statements or testify about their experiences of torture under the State of Emergency, and almost none were made in Cape Town by leadership figures in any of the UDF affiliates.<sup>257</sup> It must be stressed that the experience of Section 29 detainees was very different and is discussed in Chapter 4.

Few reports of physical torture of regional UDF leadership figures detained after the imposition of the first or second State of Emergency in Cape Town could be found.<sup>258</sup> In this, Cape Town potentially differs to some extent from other regions where some regional UDF leadership figures were indeed tortured<sup>259</sup>. This does not mean that no such torture of leadership figures took place in Cape Town. Nevertheless, some basic inquiries made tend to support the conclusion that the more high profile leadership detained was not subjected to physical torture in this period, although they doubtless experienced the psychological trauma of a seemingly unending detention. Detainees at Victor Verster prison also experienced teargassing in the prison cells and other punitive forms of treatment by the prison staff.<sup>260</sup>

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<sup>257</sup> All offices of the TRC experienced degrees of reluctance by former detainees to disclose their torture. As a consequence, the number of statements regarding torture can only be regarded as indicators, and not as numerically significant. This apparently matches the experience of, for example, the Trauma Centre in Cape Town which encountered difficulties attracting victims of torture to use its counselling services.

<sup>258</sup> An exception to this would be, for example, Emergency detainee and Cape trade union activist June Esau who was admitted to hospital in November 1985 after being assaulted and tortured. She applied for an urgent Supreme Court interdict against the SAP which was granted. She asserted that she had been assaulted, punched on the head and neck, being made to stand with her head between her knees and being forced to stand for long periods of time at the Caledon Square police station. The Supreme Court granted an urgent temporary interdict on 20 November 1985. *Focus* newsletter, No 63, March – April 1986, page 4.

<sup>259</sup> See, for example, the experience of Eastern Cape UDF activist Mkhuseleli Jack.

<sup>260</sup> RMG newsletter No. 34, 27 October – 2 November 1986. Newsletter No. 3, 15 – 21 February 1987 states that seven incidents of teargassing of detainees had taken place at Victor Verster

A research project to examine this silence concerning torture in Cape Town was undertaken by the TRC by contacting a number of mainly fairly 'senior' activists who were detained.<sup>261</sup> This study indicated that although many had experienced physical torture, it was almost exclusively in the pre-1985 period. (For those who were detained on suspicion of ANC or MK activity, such as Trevor Wentzel, the situation was almost universally characterised by physical torture). Some were only willing to discuss their experiences on condition of anonymity or when the 'social value' or historically useful function of such disclosure was discussed with them. This group tended to be experienced long term activists who were uncomfortable with the sense of 'victimhood' and vulnerability associated with the TRC. In one case, a former detainee who is now a leading high profile parliamentarian had attempted suicide in detention in the pre-1985 period and was unwilling for that to become public information.

The pattern in the period 1985 to 1989 is one in which State of Emergency detainees who could be considered to be regional UDF leadership were not on the whole subjected to physical torture. Nevertheless, this does not preclude the extreme forms of psychological pressure under which they were placed. Their experience appears to have been 'being left to rot' for long periods in prisons, with very limited amounts of interrogation or questioning by the Security Branch. In an exceptional case, UDF Regional Executive Committee member William 'Keff' Thomas was detained under the emergency in 1987 and held for several months. He was taken to the Guguletu police station where he was questioned and tortured. This detention however was largely related to public violence charges against him and the torture oriented towards extracting a confession, rather than a more general Emergency detention.

*"The said police officers accused me of attacking a fellow policeman's house and assaulted and tortured me with the purpose of getting a confession as well as to furnish them with names of others. ... I was assaulted by Officer Nortjie who had a wet bag placed over my head and proceeded to spray teargas into it causing me to have difficulty in breathing and/or remaining conscious. The said torture took place at the back of the Guguletu police cells where I was placed in a container. I was charged in the criminal court with public violence. A trial within a trial was held and the charges were withdrawn against me."*<sup>262</sup>

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Prison in Paarl and one at Pollsmoor prison in Cape Town. The source is cited as Parliament, 10 February 1987.

<sup>261</sup> S. Badat, "Torture in the Western Cape: 1960 – 1994" submission to the TRC, April 1998.

<sup>262</sup> Statement by William Thomas furnished to the TRC for use in the amnesty hearing of former Security Branch member Jeffrey Benzien (AM05314/97), held on 20 and 21 October 1997.

The picture for more ordinary rank and file membership or supporters is quite different. They were far more likely to experience torture. In the 1985 and 1986 period, there are numerous reports of UDF protesters being arrested, taken to police stations where they were severely assaulted or subjected to torture. Often they would be released almost immediately thereafter, or within a day or two. Such arrests and assaults were largely punitive, involving no charges. In particular, the Brackenfell and Guguletu police stations became notorious as a site of brutal assaults, particularly on young students. A group of teenage students were detained and severely assaulted when held overnight at the Brackenfell police station in September 1985. Mansoor Mollajee, Grant and Craig Fahrenfort, Clement Meyer, Yazeed Baker, Chantal and Colleen Fick experienced assault and torture. They were subjected to assaults and strenuous exercise until they passed out. The police attempted to suffocate Yazeed Baker with a tyre tube.<sup>263</sup> Cheryl Phillips, 17, was detained under Section 50 and interrogated and assaulted over a period of six hours. She experienced sexual remarks, her hair was pulled, she was punched in right eye, thrown to the ground, and repeatedly beaten. Similarly, teacher Basil Nabil Swart was sjambokked repeatedly at the police station by Security Branch personnel.<sup>264</sup>

Some victims of torture managed to obtain interim interdicts against security force members assaulting or engaging in torture. Three Belhar residents held under Section 50 obtained an urgent interdict restraining assault by police, alleging assault and torture at the police station involving the squeezing of genitals, suffocation, submersion in buckets of water, kicking and punching. They were also forced to make false statements implicating themselves in arson.<sup>265</sup> In cases where victims ultimately sued the Minister of Law and Order these were almost always settled out of court, with no admissions made by the Minister.

In particular, individuals suspected of 'public violence' activities, and individuals suspected of linkages to Umkhonto we Sizwe uniformly experienced very severe forms of torture while in custody. The latter category is discussed in the following chapter. In Cape Town, torture of State of Emergency detainees often appears to be linked to cases where the police were attempting to extract confessions for court cases.<sup>266</sup> Many of these detainees were forced to implicate themselves in confessions used later in court in efforts to convict them on public violence charges. The perpetrators were largely the Security Branch, the Murder and Robbery Unit and the

<sup>263</sup> *The Argus*, 25 September 1985.

<sup>264</sup> *Cape Times* 2 October 1985.

<sup>265</sup> *Cape Times* 28 September 1985.

<sup>266</sup> This is equally the case in criminal matters.

special Unrest Investigation Units, particularly the units based at Guguletu and Athlone. Special constables ('kitskonstables') are also implicated in torture. In the latter half of 1987, the Athlone based Unrest Investigation Unit was involved in widespread torture of youth linked to the Bonteheuwel Military Wing. This torture notably included sexual assault, such as playing Russian Roulette with a gun in a detainee's anus, anal assault with a police baton, and placing a tortoise on the genitals.<sup>267</sup>

A great deal of torture is thus associated with fairly short term periods of detention or police custody. For example, in the third week of October 1986 a series of security force raids on youth in KTC took place which led to the fatal shooting of Mpumelelo Rwarwa<sup>268</sup> on 27 October 1986 by Warrant Officer Barnard and Constable Labuschagne. A group of at least fifteen youth were arrested and all were severely assaulted and tortured both on arrest and while in custody at the Guguletu police station for a few days. The torture they were subjected to included wet bag suffocation, electric shocks, beatings with gun butts, and nakedness. One detainee had a tyre placed around him and petrol poured onto it. The police then threatened to burn him alive. He was then taken to the bushes and suspended from a tree on a chain, further assaulted and later given electric shocks back at the police station.<sup>269</sup>

Although torture was a very widespread phenomenon throughout South Africa, very few security force members applied to the TRC for amnesty for acts of torture. Cape Town was no exception. The only amnesty applications, discussed in the following chapter, relate to the torture of former MK operatives. This reflects the essentially private and unprovable nature of torture, placing it amongst the most covert forms of violence. Although most of its victims survive, it remains a secret and unseen form of violence. The South African judiciary had a long history of refusing to accept allegations of torture and accepting 'confessions' allegedly produced under duress or torture. Almost without exception, the police denials of torture were accepted as credible and the torture allegations dismissed.<sup>270</sup>

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<sup>267</sup> TRC Report, Volume 3, Chapter 5, paragraphs 309 to 485, pages 482 – 485.

<sup>268</sup> TRC statement CT00864/FLA.

<sup>269</sup> Contemporaneous affidavits taken by the Legal Education Action Project (LEAP), University of Cape Town, 1986.

<sup>270</sup> Interestingly, in June 1986 the Cape Town Supreme Court granted an 'Anton Pillar' order allowing Alfred Siphika, Mxolisi Howard Stofile, Zwelithsa Mluthshwa and Alfred Moyishikile Dyantyi to search the Guguletu and Bishop Lavis police stations for torture instruments used against them in custody.

## The Use of the Courts – Public Violence and ‘People’s Power’ trials

The state also sought to charge, convict and imprison persons who were suspected of involvement in politically motivated ‘public violence’ and what could be termed ‘organs of people’s power’, such as people’s courts.

Without doubt, there were literally thousands of acts of ‘public violence’ enacted by protesters in the period 1985 to 1989. As cited in Chapter 2, the period August to December 1985 alone saw 865 incidents of arson, damage to property or robberies. Although these were politically motivated, the state chose to charge persons under ordinary criminal law. In this manner, it sought to criminalise the actions of protesters, who, if convicted, would be held with ordinary criminals as opposed to political prisoners. As Clive Plaskett notes, public violence is a common law crime, an offence classified as an offence against public order rather than against the State<sup>271</sup>

A draft state document describing the state’s counter-revolutionary strategy commented on this effort to criminalise politically motivated acts:

*“Individuals and groups engaged in the instigation of unrest, stayaways, demonstrations, boycotts etc and who, for example, confiscate goods during consumer boycotts must be detained and where possible charged for instigation, theft, malicious damage to property and so on. Efforts must be made to depict such person as ordinary criminals acting in their own interests.”<sup>272</sup>*

The Repression Monitoring Group reported that in 1985 and 1986 the Cape Peninsula had the largest number of public violence convictions, namely 252.<sup>273</sup> A subsequent newsletter outlined the harsh consequences of facing public violence charges. “According to statistics in our office many people or students who were charged with public violence in 1985 have either lost their appeals or their appeals were dismissed. Some started serving their sentence either in 1987 or early 1988. .... Heavy sentences have been imposed on students, some have received up to six years. The trial, postponements of the case and the time of the appeal which takes up to two years is already enough suffering for the youth. Stress and uncertainty of the future causes some students to drop out of school, reluctant to further their studies because of the awaiting jail

<sup>271</sup> C Plaskett, “Sentencing in Cases of Public Violence” in *Political Violence and the Struggle in South Africa*, (eds) N. Chabani Manganyi and A. du Toit, Macmillan, 1990, page 326.

<sup>272</sup> Document with reference NI/B3/17/1/4/19, “Konsep – Teen-rewolusionêre Strategie”, page 11, SSC collection, National Archives, Pretoria.

<sup>273</sup> RMG newsletter No 3, 15 – 21 February 1987, citing the source of the primary data as Parliament on 16 February 1987.

sentence.” Around sixty cases are identified of mainly young teenagers who were facing or completing prison sentences.<sup>274</sup> Public protest during the Defiance Campaign in 1989 also led to numerous public violence charges for teenagers.<sup>275</sup>

Nevertheless, the more serious incidents of injuries and deaths resulting from public violence outlined at the end of the previous chapter saw few if any people face charges for these acts. Not one case could be found of persons convicted for any of the necklacings or fatal stonings of civilians. Efforts were certainly made by the police to extract confessions for necklacings and killings as the following details of torture from affidavits made to the Legal Education Action Project indicate:<sup>276</sup>

- Johnson X was detained around June 1986 together with several other males from refugee centres after the destruction of KTC camp by witdoeke. He was asked why he burns people, why he gave firearms to the comrades and was accused of burning community councillor Siqaza to death. He was assaulted and given electric shocks at the Simonstown police station, taken in the boot of a car to Simonstown beach where he was suffocated with a plastic bag into which water was poured.
- Sandile Y was taken from another refugee centre to the Guguletu police station. There he was sjambokked, a navy blue sack was placed over his head, water was poured over it until he lost consciousness. He was charged with murder.
- Isaac Z was detained under the State of Emergency along with many others from the ID Mkhize high school on 3 July 1986. Questioning by the security police including possibly Nel. He was taken to a rural area and threatened with death, forced to kneel with a sack over his head, and his head was held for long periods under water. He subsequently agreed to make a statement implicating himself in people’s court whippings and several necklacings. He was released on 2 November 1986.

In Cape Town, implementation of the UDF’s strategic conception of people’s power, namely people’s courts, street and block committees and the complete destruction of black local

<sup>274</sup> RMG newsletter No. 24, 29 August – 4 September 1988.

<sup>275</sup> South, 31 August 1989.

government did not reach the scale of that obtained in areas of the Eastern Cape and townships such as Alexandria. Any such implementation would have been confined to areas within the African townships, themselves a minority in Cape Town. The fact that no Western Cape UDF leadership faced treason charges as did UDF leadership at national and certain regional levels is probably related to this limited level of what could be termed establishing organs of people's power.<sup>277</sup>

A study by Wilfred Scharf and Baba Ngcokoto which examines the operation of people's courts in Cape Town's African townships indicates that up to four people's courts operated in the Guguletu/Nyanga area in the period between 1985 and 1987.<sup>278</sup> Considering that the state alleged that there were 400 people's courts in operation across South Africa, four is a low tally for Cape Town.<sup>279</sup> Interestingly, their study indicates that at least two of these courts had a largely peripheral relationship to the organisational structures of the UDF or its affiliates<sup>280</sup>. After a controversial case in which the Nyanga East Youth Brigade people's court sentenced four women to 60 lashes before a huge crowd, thirty two Youth Brigade members were arrested. Although the initial charge was sedition, some were charged with and found guilty of assault. They were sentenced to a maximum of five years imprisonment.<sup>281</sup>

Scharf and Ngcokoto suggest that in the first half of 1986 there was a nationwide police crackdown on people's courts. Examination of a set of police unrest telex reports relating to the Guguletu/Nyanga township areas for the first six months of 1986 bears this out as it describes a number of raids on people's courts. One report states that on the afternoon of 5<sup>th</sup> May 1986 "police catch at least seven blacks busy with a Kangaroo court in KTC. One male was arrested in possession of an unlicensed firearm and ammunition. Six black men over 18 and one black

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<sup>276</sup> The three cases cited are from affidavits submitted to LEAP at the University of Cape Town. Names have been changed as the affidavits were submitted confidentially.

<sup>277</sup> See J. Seekings, "People's Courts and Popular Politics" in *South African Review* 5, Ravan Press, 1989, pages 119 – 135. Seekings describes the origins of people's courts in terms of informal judicial traditions within townships as well as the strategies of the UDF.

<sup>278</sup> W. Scharf & B. Ngcokoto, "Images of Punishment in the People's courts of Cape Town, 1985 – 7: From Prefigurative Justice to Populist Violence" in *Political Violence and the Struggle in South Africa*, N. Chabani Manganyi & Andre du Toit (eds), Macmillan, 1990.

<sup>279</sup> Brigadier Alfred Stadler of the Security Police testified to this figure in the Alexandria treason trial in the Rand Supreme Court in March 1988.

<sup>280</sup> Remarkably, in early 1985 the Nyanga Youth Brigade people's court actually got permission from the commander of the Guguletu police station, Major Burger, to patrol the Nyanga area.

<sup>281</sup> Scharf & Ngcokoto, (1990), page 360.

woman under eighteen (12 years old) are arrested for assault in Case Guguletu MR 399/11/85. One .38 Astra pistol and cartridges as well as two books indicating the work of the 'court'".<sup>282</sup>

These arrests do not appear to have deterred the operation of the people's courts, since on 12 May, two entries indicate that Warrant Officer Barnard and Sergeant McMaster came upon a people's court in KTC and that shots were fired by them at a man with a pistol at the court. Another entry on 12 May indicates a people's court in progress at the Zolani Centre in Nyanga, although this may be a repeat entry.

It was not only the police who took exception to the people's courts. Conservative squatter leaders from Crossroads (the 'fathers' or 'witdoeke') identified these courts as a challenge to their systems of informal justice. After abducting a number of women activists in early January and holding them hostage in an informal prison, witdoek leader Sam Ndima stated that "the maqabane have to stop making petrol bombs and holding Kangaroo courts. We will not allow them to beat and punish their own people."<sup>283</sup> On the 11<sup>th</sup> January 1986, a report indicates that up to twelve people were injured when conservative 'fathers' attacked a people court.<sup>284</sup>

In conclusion, efforts by the state to crush internal political resistance through judicial means (by charging protesters or UDF supporters or those broadly acting under its banner or in line with its campaigns) had mixed results. No evidence could even be found of persons being charged for the incidents of necklacing that took place in Cape Town. Elsewhere in the country there were numerous trials and death sentences imposed for necklace murders.

A handful of cases, however, illustrate the possibility that in certain cases, local level UDF activists suspected of involvement in public violence or killings were summarily executed. The SAP members (members of the Security police, members of the Riot Unit, members of the

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<sup>282</sup> Information from police telexes from WP Division to the Commissioner of Police, File 30/1/2 "Onluste Opgawe 19/12/1985 – 30/6/1986", documentation obtained by the Legal Resources Centre for the Cape Town Supreme Court case 13082/86, Methodist Church of Africa and P M Mzamka and 20 Others vs The Minister of Law and Order.

<sup>283</sup> Cape Times 7 January 1986.

<sup>284</sup> A similar attack by the 'fathers' in KTC on 28 January 1986 was explained by the police in the following exculpatory fashion: "*The climate of unrest, intimidation and confrontation in the squatter camp of KTC as well as the dislocation of the community created by the youth led to the older residents revolting against the behaviour of the youth. The confrontation led to following: Eight men burn a shack. A man was hacked to death with an axe. A youth of 13 years was found hacked to death with an axe and knives. One 18 year old found hacked to death with an axe. There are no open clashes between the two groups.*" SAP "Onluste Opgawe".



Murder and Robbery Unit and members of the Unrest investigation units) involved in the case often overlap, appearing as a kind of 'inner circle' to cover up the killings.

Ayanda 'Ace' Silika (23) was shot dead while allegedly escaping from the custody of members of the Unrest Investigation Unit in Crossroads on 12 May 1986. Silika, a member of the Release Mandela Committee and the Cape Youth Congress, was arrested as a suspect in the fatal shooting of Constable Patrick Legong on 25 March 1986 in Crossroads. Ayanda's brother Siphon Guarantee Silika had been shot dead by police<sup>285</sup> during the widespread street conflicts on 12 September 1985. The investigating officer Paul Looock<sup>286</sup> stated

*"The suspect acknowledged to me that he had shot the police officer on 25 March 1986. He did it as revenge because the police had shot his brother dead during unrest the previous year. He told me that he was very shocked by the death of his brother and could not accept that his brother was dead. He had a T-shirt made with his brother's face on it and wore it permanently. The death of his brother tormented him..."*<sup>287</sup>

Silika was allegedly taken by the investigation team to Crossroads at 4am, allegedly to conduct investigations. Certain SAP members then left the Casspir to 'handle other tasks'. Two unit members remained with Silika who asked to urinate outside. Silika then allegedly attempted to escape and succeeded in breaking away from the grasp of one unit member and running towards the shacks. It is alleged that one unit member pursued Silika, warned him to stop, and then fired four shots at him, fatally wounding him. There are no witnesses to challenge the SAP's version of events.

Similarly, the fatal shooting of CAYCO activist Mpumelelo Rwarwa on 27 October 1986 in KTC by Riot Unit members Warrant Officer Barnard and his sidekick Constable Labuschagne appears to have been more of an execution than an attempted arrest.<sup>288</sup>

<sup>285</sup> Siphon Guarantee Silika was shot dead by notorious Riot Unit member Sergeant Jeffrey MacMaster, acting with Warrant Officer Barnard. Wynberg inquest 400/86/7 of SG Silika. Cited in D. Hansson "Trigger-happy? : An evaluation of Fatal Police Shootings in the Greater Cape Town area from 1984 to 1986" in Policing and the Law, Faculty of Law, UCT, Juta and Co, 1989, Cape Town.

<sup>286</sup> Captain Paul Looock was implicated in the witdoeke attacks of May and June 1986. In a February interview with Colonel Eugene de Kock, former commander of the Vlakplaas security branch unit, de Kock detailed other illegal activity engaged in by Looock.

<sup>287</sup> Inquest of Ayanda Silika, number 322/86/7, Wynberg Magistrate's Court, held on 24 November 1986.

<sup>288</sup> Inquest of Mpumelelo Honey Rwarwa, number 564/86/7, Wynberg Magistrate's Court, held on 18 March 1987. TRC statement CT00864/FLA.

The killing of UDF activist Welile 'Deks' Dakuse, suspected of attacks on a community councillor, also bears the marks of an extra-judicial execution. His death is described in the following chapter as it also potentially links to MK activity.

### **Acts of Sabotage by Security Forces**

The security forces also engaged in acts of sabotage directed at buildings and persons directly linked to the UDF, including one case of attempted assassination of a leading UDF official. Although few injuries and no deaths took place, it is perhaps these instances where organs of the state placed explosives in public places that sharply demonstrates the shift into state criminality and terror, and most aptly illustrates the state's adoption of the counter-insurgency principle of deploying the 'methods of terrorists against the terrorists'.

Several arson attacks on building and properties owned or used by the liberation movements or 'human rights' organisations in general took place in Cape Town. Examples of arson attacks would include the 1985 destruction of union offices in the City Centre and the 1988 destruction of an Observatory bookshop, and the 1988 destruction of the Western Cape Hostel Dwellers Association offices.

Members of the security police applied for amnesty from the TRC for only three attacks on buildings. None were arson attacks but rather involved the use of formal explosives such as mini-limpet mines. These were the bombing of Community House (a building housing the UDF office as well as many other anti-apartheid organisations and NGOs) on 29 August 1987<sup>289</sup>, the bombing of the Athlone post office and the First National Bank in August 1989. The latter two were regarded as 'false flag' operations designed to appear as the work of the ANC. In all these instances, limpet mines were placed in these buildings and cause substantial damage. The bombings were done by Western Cape security police operatives together with Vlakplaas operatives.<sup>290</sup>

During the Defiance campaign in the Peninsula in 1989, limpet mines were used to blow up the toilets in the Strand, a beach resort outside of Cape Town that was the target of the MDM's 'beach apartheid defiance' campaign. Vlakplaas operatives including Wouter Mentz, Dave Baker,

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<sup>289</sup> *The Argus* 29 August 1987.

<sup>290</sup> Amnesty applications of Eugene de Kock (AM0066/96), Dave Baker (AM5284/97), Wouter Mentz (AM2775/96), and Lodewyk de Jager (AM4126/96).

and Colonel L de Jager conducted the bombings under orders from Vlakplaas commander Eugene de Kock.<sup>291</sup>

The Civilian Co-operation Bureau (CCB), a covert unit of the South African Defence Force, also engaged in operations in Cape Town that included sabotage. The CCB was a covert structure established by the SADF in 1986, with a number of antecedent structures.<sup>292</sup> While primarily geared towards external operations outside South Africa, one of the six regions established by the CCB targeted South Africa itself. The General Officer Commanding of Special Forces, General AJM 'Joep' Joubert explained the CCB's plan as follows in his amnesty application to the TRC:

*"Since the necessity for unconventional and revolutionary action was already clear, it was also clear that clandestine and covert operations would have to take place internally, for which Special Forces members would be used. .... The revolutionary and covert nature of the plan, amongst other things, involved:*

- (a) that ANC leaders and people who substantially contributed to the struggle would be eliminated*
- (b) that ANC facilities and support services would be destroyed*
- (c) activists, sympathisers, fighters and people who supported them would also be eliminated.*"<sup>293</sup>

Actions in accordance with these principles and plans were undertaken in Cape Town which saw at least four CCB operations under the direction of its Western Cape regional manager Abraham 'Slang' van Zyl, a former member of the Brixton Murder and Robbery Unit. The operations fell under the umbrella project known as Project Goldie<sup>294</sup>

The four operations ranged from the somewhat absurd to the potentially deadly. One involved the placing of a baboon foetus on the property of Archbishop Desmond Tutu in August 1989. Tutu, while not technically a member of the UDF, was an outspoken leader of the MDM, frequently heading UDF and other protest marches. During the amnesty application of the CCB members for these operations, mention was made of the fact that this operation was intended to be the first in a series of attacks on Tutu, culminating in the possible killing of his son Trevor

<sup>291</sup> TRC Report, Volume 2, Chapter 3, paragraph 549, page 297.

<sup>292</sup> For further detail regarding the CCB, see the TRC Report, Volume 2, Chapter 2 "Special Operations of a Sensitive or Covert Nature: the CCB, paragraphs 337 – 418.

<sup>293</sup> Amnesty application of AJM Joubert (AM3799/96).

<sup>294</sup> The following CCB members applied for aspects of the acts described here: Calla Botha (AM3633/96), LA 'Chappies' Maree (AM3634/96), Wouter Basson (AM3635/96), Abraham 'Slang' van Zyl (AM3636/96), DFD 'Staal' Burger (AM3667/96), PJ 'Joe' Verster (AM5471/97), Eddie Webb (AM7304/97) and Ferdie Barnard (AM8031/97).

Tutu. A second operation involved an arson attack on a printing press in Athlone, known to have printed UDF material.

A potentially deadly operation involved the attempted assassination in 1989 of Advocate Dullah Omar, currently Minister of Transport, who was then a senior UDF official in Cape Town and long time anti-apartheid lawyer. CCB operative Ferdie Barnard, who had conducted the assassination of UDF activist David Webster on 1 May 1989, was tasked to shoot Omar and to make it appear as a robbery. He conducted reconnaissance on Omar's residence in Thornton, near Athlone and managed to secrete himself in the dark outside Omar's home. At his amnesty hearing, Barnard asserted that he ultimately decided not to open fire on Omar when Omar arrived at home in the company of a woman.<sup>295</sup> A local gangster Edward James Gordon aka 'Peaches' who had been tasked to conduct surveillance on several key leaders of the UDF, COSATU and SWAPO, was also instructed to kill Omar by means of the poisonous contamination of his tablets for his heart condition. This operation was not ultimately successful. Notably, Gordon's mutilated body was found along a highway a few weeks after giving testimony to the Harms Commission. The murder docket was closed after the key witnesses Igshaan Ariaanse and his girlfriend Dorothy Spencer were also killed in suspicious circumstances.<sup>296</sup>

The CCB also detonated a limpet mine at the Early Learning Centre in Athlone on 31 August 1989, which was a nursery school facility hired occasionally by the UDF and its affiliates as a meeting venue.<sup>297</sup> A meeting of a local branch of the Cape Youth Congress (CAYCO) had just concluded when the bomb exploded. Several individuals received minor injuries. Due to a booking mix-up, the meeting had taken place in another room in the building and was thus spared the full impact of the blast. A dispute arose at the amnesty hearing as to whether the bomb, which was personally detonated by Slang van Zyl together with Calla Botha and gangster Isgak Hardien, was intended to explode while the occupants were still in the building or after they had left.<sup>298</sup> The amnesty decision was still pending at the time of writing.

<sup>295</sup> CCB amnesty hearing, 2 – 5 October 2000, Cape Town.

<sup>296</sup> Information from the TRC Investigation Unit report into the case.

<sup>297</sup> *The Argus* 1 September 1989.

<sup>298</sup> CCB amnesty hearing held at Cape Town 13 – 17 March 2000, 12 – 23 June 2000, 26 – 29 September 2000 and 2 – 5 October 2000.

The Cape Town operations are notable for the recruitment and involvement of criminals and gangsters. The CCB appears to have used both conscious and unaware members, particularly known felons or persons from the criminal underworld.<sup>299</sup>

Of note is the fact that all the above CCB operations were aimed exclusively at the UDF, despite General Joubert's assertion above that the ANC was the general target of the CCB. This further illustrates the absence of distinction in the minds of both state strategists and operatives between the banned military structures of the ANC and the civilian and ostensibly peace-oriented UDF.

### **Contramobilisation: the Witdoeke<sup>300</sup>**

Perhaps the most 'successful' state strategy adopted in Cape Town to disable the UDF and crush resistance activity was its implementation of the strategy of contramobilisation in relation to the residents of the informal settlements of Cape Town, specifically Crossroads and Khayelitsha.

Contramobilisation is an important principle of counter-revolutionary warfare developed by American military and intelligence analysts in the 1960s, such as US army officer John J. McCuen.<sup>301</sup> It holds that, in revolutionary warfare, the most significant battle is for the 'hearts and minds' of the population, and that security strategies should therefore be 80 percent political and only 20 per cent military. Active welfare measures should be undertaken to undermine the support base of the enemy, which simultaneously working to eliminate the insurgents.

This approach was increasingly incorporated into the SADF's security perspectives from the 1960s and was reproduced virtually in textbook form by senior SADF strategists such as Brigadier CA Fraser.<sup>302</sup> In much the same way that South Africa supported surrogate forces such as Renamo and Unita from the 1970s outside South Africa, this strategy was increasingly reproduced inside the country from the 1980s. This process mirrored the wider transfer and

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<sup>299</sup> This use of gang members by the CCB is detailed in Athlone CR 396/08/89 which contains statements of four gangsters who were members of the Dixie Boys, including Isgak Hardien, Peaches Gordon, Clive Petersen and Irwin Meyer. Information from the TRC Investigation Unit report.

<sup>300</sup> 'Witdoeke' was the term given to the groups of Crossroads male residents who embarked on mass incursions on areas aligned to the liberation movement that they destroyed through arson and killings of residents, discussed in detail later in this chapter. 'Witdoek' refers to the white cloths they tied around their arms or heads.

<sup>301</sup> G. Cawthra, *Policing South Africa: The SAP and the Transition from Apartheid*, David Philip Publishers, Cape Town, 1994, page 30 – 31.

adoption of principles and practices from the Namibian war experience as the attention of the security forces shifted to the internal resistance movements.

Contramobilisation was thus a key feature of the state's counter-revolutionary strategy, involving the winning of 'hearts and minds' of sectors of the black population and the building of an effective counter to resistance organisations by organising and providing support to 'moderate blacks' to oppose the revolutionary movements.

Of necessity, it was always a covert strategy in which the hand of the state in fostering opposition and providing logistical, political, financial and even military training support to groupings who engaged in (at times violent) opposition to resistance organisations was concealed. Hence, the state would not be seen to be involved in the conflict and violence.

Elements of the theory and practice of contramobilisation can be traced to the early 1980s. From 1985 it received the attention of the State Security Council (SSC), resulting in the January 1987 position paper which postulated that the idea was an integral part of 'Strategy 44'. Strategy 44 was developed in the Total Strategy Branch of the SSC, and was formally adopted by the SSC in December 1986 as the 'National Strategy against Revolutionary War against South Africa'.

Strategy 44 aimed "to mobilise groups and individuals to defend themselves and to offer resistance against revolutionary actions", giving "moderate blacks" support in political developments. It also held that counter-revolutionary organisations should be "developed on an ethnic basis to prevent radicals from utilising the political vacuum."<sup>303</sup>

The term contramobilisation was also used in official documentation to refer to more offensive actions in which the population is seen as a direct vehicle to crush the revolutionary threat. For example, a November 1985 discussion document authored by the National Intelligence Service (NIS) states:

"The activities of the Comrades should be rendered inoperative by the neutralisation of the leadership by means of an operation called 'vasvat' (to take a firm grip), or, in a clandestine manner, to make them the target of the 'vigilantes' or 'mabangalala'.....

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<sup>302</sup> TRC Report, Volume 2, Chapter 1, page 38, paragraph 158.

<sup>303</sup> From the SSC collection, file 22/3/2/44, National Archives, Pretoria.

*The action against intimidation from anarchists and revolutionaries by the so-called 'vigilantes' or 'mabanbalala', should, taking in consideration an organisation such as Inkatha, in a clandestine manner, be reinforced, extended and portrayed as a natural resistance by moderates against anarchy.*<sup>304</sup>

The fostering of conflicts and differences around both ethnic and ideological differences is also identified as a key element of contramobilisation in several documents. This is exemplified in the two most prominent examples of operations designed to create, bolster or train 'middle groups' to counter the revolutionary threat were Operation Marion and Operation Katzen. The former was fully implemented, the latter only partially. Marion involved the building of the counter-revolutionary capacities of Inkatha in military and political terms, as a bulwark against the UDF and ANC. Katzen involved efforts to build a traditionalist, ethnically-based opposition to the resistance movements in the Eastern Cape.<sup>305</sup>

The security arm most directly concerned with the implementation of contramobilisation was the SADF. An SADF document from its Military Intelligence division dated 26 July 1985 states that "the SADF has been ordered by the State President to support the SAP in the stabilising of the prevailing revolutionary situation in certain areas." One of its tasks is specified as "Giving support to the launch of Counter-Revolutionary Organisations (CROs) to contain the revolution." The broad guidelines for this task are specified:

4. *To create CROs by means of comops actions*
  - i. *The identification and training of moderate leaders to serve in the CROs*
  - ii. *The activation of CROs*
  - iii. *The management of CROs*<sup>306</sup>

Defence Force Major Marius Oelschig confirmed during the 1996 trial of former Defence Minister Magnus Malan that "...it is a fact that the South African government, and through the South African Defence Force, assisted various dissident groups to create a capability, which they themselves could use."<sup>307</sup>

<sup>304</sup> From the SSC collection, file 22/3/2/44, National Archives, Pretoria, Vol 3, ref NI/B3/17/1/4/19.

<sup>305</sup> Operation Katzen is detailed in the TRC Report in Volume 2, Chapter 5, pages 435 – 440. Operation Marion is described in Volume 2, Chapter 5, pages 464 – 469.

<sup>306</sup> From the SSC collection, State Archives, Pretoria. Document reference AMI/KO/309/5, file 22/5/3/1/48 entitled Bylae. Noodtoestand: Departementele Stratkom-Planne

<sup>307</sup> State versus P Msane and 16 others, trial transcripts, volume 54, page 4225.

Informal settlements in and around the formal African townships of Cape Town were key sites of political violence, accounting for a minimum of 120 deaths in the period 1985 to 1989. It is not suggested here that all conflicts in the informal settlements arose through the machinations of the state. Power struggles between individuals and opposing groups also played a significant role. Further, the intolerant actions and coercive campaigns enacted by UDF supporters certainly provided fertile ground for retaliatory actions by migrant workers whose incorporation into the structures, language and practices of the liberation movements was weak.

The violent mobilisation of migrant workers living in Nyanga hostels during the December 1976 protest period in Cape Town stands as a precursor to the events of 1986.<sup>308</sup> Space does not permit a full historical account of the development of migrant labour and of the informal settlements, their struggles against the state in the context of pass laws and the Coloured Labour Preference policy, and the complex relationship of new migrant urban dwellers with the more settled African township residents of Cape Town. These factors all accentuated the vulnerability of the mainly migrant residents of informal settlements and created the conditions for the events of 1986.<sup>309</sup>

Nevertheless, the violence could not have reached the levels it did without the direct and indirect permission of the state. These conflicts all result, in differing degrees, from the desperate conditions facing these informal settlements and their vulnerability to the strategies of contramobilisation adopted by the state. The events in Cape Town during 1986 and subsequent years involving conflicts between vigilante groupings usually termed 'witdoeke' and UDF supporters have to be viewed through the lens of the strategy of contramobilisation.

The state sought to present the conflict as an example of 'black-on-black violence', as the natural reaction of black moderates in Crossroads and other areas to the anarchy and violence perpetrated by the UDF and its comrades. However, evidence has been gathered which points to the state playing a key role in the conflicts. The TRC uncovered a trail of covert official support to and sanction of the witdoeke whose actions resulted in the deaths of over 60 people and the destruction of the homes of 60 000 people in May and June 1986. Further, the subsequent court

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<sup>308</sup> Regrettably, the role of the security forces in the conflicts of December 1976 in Nyanga were not investigated by the TRC.

<sup>309</sup> The most comprehensive account of this complex and important period of Cape Town's history can be found in J. Cole's *Crossroads: The Politics of Reform and Repression*, David Philip Publishers, Cape Town, 1987.



case against the Minister of Law and Order points to a sustained, high level and expensive cover-up of these acts.

By the mid 1980s both KTC and the satellite camps around Crossroads were increasingly integrated into the resistance movement, often providing cover to underground MK guerrillas and linking with the banned political organisations. However during the course of 1985 Crossroads leader Johnson Ngxobongwana increasingly distanced himself from the UDF. It was widely speculated that Ngxobongwana had switched allegiances to the state and its security forces during a spell in prison in 1985 while awaiting trial on charges on which he was later acquitted. On his release he acquired the services of a conservative Pretoria attorney, Isaac Swartzberg.<sup>310</sup>

The first open conflict between the comrades and the 'fathers' (as the witdoeke were initially termed) occurred towards the end of December 1985, spilling over into the New Year of 1986. This conflict was fed both by the killing of a community councillor, Mr Siqaza, at a funeral for a 13 year old unrest victim Andile Selani shot dead by police, as well as fatal counter attacks by Siqaza's supporters and the conservative elders. Groups of 'fathers' rampaged through New Crossroads attacking activists. At least seven people were killed between Christmas 1985 and 4<sup>th</sup> January 1986, with casualties on both sides, including many more injuries. Hundreds of activists fled the area. Allegations of police involvement in encouraging and escorting the 'fathers' on their raids in the conflict were made at the time. Prince Gobingca, whom the TRC later found to have been a state agent, rose to prominence in this period within the witdoeke.<sup>311</sup>

A further feature of the period was the escalation of armed attacks on the security forces. There were regular sniper attacks on police or army vehicles, mainly from the direction of the satellite camps and KTC. Hand grenade attacks also strongly indicated the presence of trained guerrillas. These squatter camps clearly posed a major security threat.

It is argued by Cole at the time that there was a convergence of interests and agendas by the witdoeke, the security forces and the local government agencies in wishing to upgrade the

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<sup>310</sup> Cole, (1987), page 110.

<sup>311</sup> Prince Gobingca, later to become a National Party councillor in the Western Cape, has been linked to numerous acts of violence throughout the 1980s and 1990s. Documentation obtained by the TRC regarding the amnesty application of Jan Anton Nieuwoudt (AM3813/96) of the SADF identifies Gobingca as a 'source' handled by Western Cape Security Branch head Major Griebenaauw. These linkages place the hand of the state deep into the conflicts.

original area of Crossroads, ridding the areas of comrades and eliminating the security threat faced by the police.<sup>312</sup>

A trail of covert official endorsement of and support to the witdoeke can be traced. The Western Province (WP) JMC, the SADF's WP Command, and senior SAP personnel at divisional level can all be linked to this support through documentary evidence. More significantly, this local level of support is duplicated and endorsed by the highest security structure in the country, viz the State Security Council. These surviving fragments of evidence pointing to such support are described below.

At the first JMC daily management meeting of 1986 on 10<sup>th</sup> January, shortly after violent raids by the 'fathers' or witdoeke on comrades described above, JMC chairperson Brig AK de Jager of WP Command stated that

*"[t]he actions of the 'old guard' deserved support, though this should occur in a covert manner. Mr de Jongh of the Dept of Constitutional Development and Planning undertook to put this to the Development Board so that they can investigate the possibility of support to the 'fathers'. Komkom was requested to see whether the image of the old guard could be expanded."*<sup>313</sup>

These minutes were sent up to the Secretariat of the SSC (the SSSC) which was clearly being kept abreast of discussions and developments at Western Province level by the JMC structures.

On 25 March 1986 guidelines for managing unrest were sent out from General Wandrag's office to all Divisional Commissioners of police, railway police, and Army head office. One of these guidelines specified contramobilisation and outlined this as follows:

*"Efforts must be made to get the residents of the black areas motivated to resist the revolutionaries as follows:  
Contramobilisation must be small scale and implemented at regional level.  
Positive resistance movements must be encouraged. This must be done clandestinely."*<sup>314</sup>

These guidelines were discussed at a sub-JMC meeting in the Western Cape the same day. A memorandum was drafted by its secretary Captain Trevor Vermeulen which outlined the stages of

<sup>312</sup> Cole, (1987), page 118.

<sup>313</sup> Document headed "Notule 1/86 van 'n WP JMC dagbestuursvergadering gehou by die Kasteel 101000B Jan 1986". File 22/8/4/3/13, National Archives, Pretoria.

<sup>314</sup> Kriptoberig 25/03/86. Document entitled "Gvs/Gos Instruksie : Gvs Riglyne Vir Optredes Ter Bekamping Van Die Onrus/Onlussituasie". File C7/6/7/30 retrieved from SAP records at the Thomas Boydell Building, currently held by the TRC.

implementation of these guidelines at WP level. The directives around contramobilisation were discussed and the memorandum states that “this is firstly a specialised operation of the proposed clandestine committee of the sub-JMC when the climate is right or can be created.” (The meeting had earlier proposed establishing a clandestine committee that could permanently work on propaganda operations to discredit revolutionary leaders). The memorandum then goes on to state that “*SADF WP Command is already working in this direction to get the ‘Fathers’ to resist the comrades.*”<sup>315</sup>

This memorandum indicates that WP Command had already initiated action towards mobilising the ‘fathers’ to resist the comrades. The Officer Commanding of WP Command was Brigadier AK de Jager, the JMC chairperson who had approved of the fathers’ actions in January. The memorandum would have been sent back to the Commissioner of Police’s offices.

During March 1986 all JMCs nationwide were tasked by the Chairperson of the SSC to draw up plans to deal with their particular trouble spots. These plans were presumably drawn up by the Western Province JMC and sent up to the Work Committee of the SSC. The Work Committee then restructured these proposals into a format for presentation. The final formatted plan for the WP JMC included the following section:

*“Goal: To removal the influence of the Comrades and other activists on the community  
Tasks: To support well disposed moderate blacks  
Actions: Covert organising of adult law-abiding black men (fathers) to go against the Comrades in their terror campaign against the residents of black areas”*<sup>316</sup>

This JMC plan was presented to the State Security Council meeting of 4<sup>th</sup> April 1986 and was accepted. Present in the meeting were Defence Minister General Magnus Malan, Police Minister Adrian Vlok, and Minister Roelf Meyer, all of whom later issued Section 66 notices blocking access to evidence during the subsequent court case. The meeting was also attended by Niel Barnard (the head of NIS) and the Commissioner of Police, General PJ Coetzee who was later to testify at the trial.

On 24 April 1986 a meeting was held at Athlone SAP District Commissioners office between various leaders of the witdoeke and members of the SAP. The SAP members in attendance

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<sup>315</sup> Document entitled “Maatreëls Wat Getref Is, Soos Voorgestel In Sub Gbs Veikom Op 1986-03-25” This has an attached memorandum: “WP SUB GBS 1986-03-26”. File C7/6/7/30.

include: Colonel Schreuder (Athlone District Commander and sub-JMC member), Brigadier SJ Strydom (Security Branch head in the Western Cape) and Brigadier MJ van Staden (sub-JMC). Minutes of this meeting indicate that the witdoeke express their desire to take action against the comrades.<sup>317</sup> Brigadier Strydom promised to take their case to the Commissioner of Police and to the Minister of Law and Order.

Chief witdoek leader Sam Ndima testified to the TRC<sup>318</sup> that in two subsequent meetings he met with various 'men from Pretoria' who, in his understanding, gave permission for the witdoeke to take action. One man described himself as 'the secretary of the chairman in Pretoria'. Ndima also alleges that two sharpshooters, Warrant Officer Barnard (deceased) and Captain Paul Loock were promised to assist them.<sup>319</sup>

Urban Foundation developer Colin Appleton stated to the TRC that during the actual conflict in May 1986 he encountered a member of the Administration Board, Mr Graham Lawrence. Lawrence informed Appleton that he had attended a security force meeting in the Bishop Lavis police college which confirmed security force support for the witdoeke.<sup>320</sup>

Between 17 and 21 May 1986 thousands of witdoeke from Old Crossroads squatter camp systematically torched and looted the satellite squatter camps of Nyanga Bush, Nyanga Extension and Portland Cement. Both SAP and SADF personnel were present on the scene and not a single witdoeke was arrested. Around 38 people were killed in incidents associated with this first attack and many others injured. An estimated 30 000 people were made homeless. The security forces then encircled the area with barbed wire and would not allow re-occupation of the land by its former residents who were forced to scatter as refugees.

During this attack the WP JMC reported in a telex to the SSSC on 21 May that the following had been noted in the JMC's Security Committee meeting that day "*the fathers are well-disposed*

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<sup>316</sup> These JMC plans were approved by the SSC on 14 April 1986. (SSC Minutes 5/86). The relevant appendix is entitled "Oorhoofse Gbs-Planne Ter Beslegting Van Besondere Knelpunte In Die Rewolusionêre Oorlog". File No. 22/2/5/2, National Archives, Pretoria.

<sup>317</sup> Minutes of the meeting entitled "Vergadering: Athlone DHK 1986-04-24 – 10h30 met Verteenwoordigers van drie groepe van die Oud Kruispad Komitee". These minutes form part of the exhibits of Cape Town Supreme Court case no 13082/86, Methodist Church of Africa and P M Mzamka and 20 Others vs The Minister of Law and Order.

<sup>318</sup> Testimony of Sam Ndima, TRC hearing, Cape Town, 10 June 1997.

<sup>319</sup> Captain Loock denied this in a TRC Section 29 hearing on 5 June 1997.

<sup>320</sup> Affidavit of Colin Appleton to the TRC, dated 7 September 1998. Lawrence denied this.

*towards the security forces and want law and order. Fathers cannot be openly supported due to the hostility of the leftist press.*"<sup>321</sup>

After this attack it became apparent that KTC squatter camp was facing a similar destruction by the witdoeke. Lawyers for the Legal Resources Centre (LRC) embarked upon an urgent Supreme Court interdict against the police and witdoeke restraining them from unlawfully entering KTC and destroying the camp. The application was heard on 26<sup>th</sup> May and a temporary interdict was granted.<sup>322</sup> The order restrained the SAP from "participating in, assisting in, encouraging, permitting, or allowing any unlawful attack upon any person or property residing within or situate within the area known as KTC. It also directed the security forces to take all reasonable necessary steps within their powers to prevent any member of the SAP or the SADF or any other person from perpetrating any of the acts mentioned above.

Despite this interdict, thousands of witdoeke assembled outside the Development Board offices next to Crossroads on the morning of Monday 9 June and moved off in large groups accompanied by police vehicles to KTC and the Zolani Centre. Over three days, KTC was systematically set alight and destroyed. Each morning the witdoeke would gather, march to KTC and engage in arson and looting. Not one witdoek was arrested during the entire attack, although several journalists were arrested and removed from the area. Allegations of police involvement were even more widespread in this attack. Scores of affidavits from clergy, journalists and residents on the scene recited incidents of Casspirs escorting witdoeke and other incidents indicating complicity.

Approximately twenty people were killed in this second attack and a further 30 000 people made homeless. Most of these residents lost everything they owned. A journalist, George D'Ath, was hacked and stabbed to death by the witdoeke while covering the events, becoming the first journalist to be killed during the South African conflict.<sup>323</sup>

<sup>321</sup> Document with reference "WPGBS 22/7/7 SITRAP KRUISPAD ONLUSTE. U GKS/2/5 DD 16 MEI 86. File No. 22/8/5/13 Volume 1, National Archives, Pretoria.

<sup>322</sup> Application 5317/86 CPD before Mr Justice Howie.

<sup>323</sup> The names of some of those killed are as follows:

Deaths associated with the attack on the Satellite Camps, May 1986: Mzingisi Napotye; M Mdlamkomo; Desmond Phumzile Dozi; Thozama Nelson Maso; Donald Magadi; Peter Poponi; Siphos Shoba; Sabelele Jack; ES Phillip; Sibibilwana Ndzishe; Maboyisana Mgalimani; Dumele Ntantiso; Zenzile Siqhwalala; Sebinzile Nqankase; Makhosi Somdaka; William Mbha; Mbulelo E Beja; N Bujelwa; E Cele; ZD Ntsete; M Ndamane; LN Kamnqa; M Monombane; Ngxameleni; VR

Two further examples of state involvement and endorsement of the actions of the witdoeke can be demonstrated.

On the morning of the start of the attack by witdoeke on KTC squatter camp, the JMC arranged a flight on an SADF aeroplane for several leading witdoeke and two Development Board personnel to consult the chief witdoek leader Johnson Ngxobongwana who had been sent to the Ciskei in March 1986. Those on the trip included Ricky Schelhase and Graham Lawrence, both of the Administration Board, as well as Sam Ndimba and Prince Gobingca, chief organisers of the attacks. This reveals remarkable close co-operation between the JMC, the local authorities and the chief organisers of the witdoeke attacks. The details of this flight request were sent to the Secretariat of the SSC, marked top secret.<sup>324</sup>

In the most extraordinary example, during the course of the first day of the attack on KTC (9 June), a signal message was sent from the WP JMC by the Secretary of the WP JMC Commandant RP du Plessis to the SSSC in Pretoria for the attention of Mr Stemmet and Brigadier Lamprechts requesting R3000 for a victory feast for the witdoeke. The time that the document was sent appears to be 15h00. The witdoek attack had started at 10h00 and large sections of KTC had already been burnt by 15h00. The signal message states that "in order to prevent the stayaway actions on 16 June, a gathering of witdoeke in Crossroads has been planned during which the message to go to work will be conveyed to the masses. This action will be a victory feast in the form of a cattle slaughter. The costs have not yet been finalised but can be estimated at about R3000 and it would be appreciated if the necessary funds could be made

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Gugusa; G Zazele; MP Mtuntwana; Ernest Solozi Topana; Lukhanyiso Mendo Finye; Vuyani Douglas Dyaboza; seven unidentified people.

Deaths Associated with the attack on KTC Camp, June 1986: Sazi Gwentsha; Lennox Dyantyi; Maylos Mxolisi Maseko; George Daniel Pongolo; Temba Dunga; Christopher Kwaaيمان; Kali Cameron; Mtunzi Hackington Maphomane; Michael Jane; Theopolous Tamsanqa Mhambiso; Phosiza Albertina Vellein; A Morrison; Julius Tamsanqa Gcwabe; Matatane John Galaweni; Mtatho Scott; Leon Mzimkulu Xingashe; Monwabisi Nombane; George D'Ath; and three unknown victims.

<sup>324</sup> Fax sent from WP Command to 5 Air Command, as well as the SSSC. K53/848/Jun86, 061330B. The document requests air transport for 2 members of the Development Board as well as a black member to visit Johnson Ngxobongwana in King William's Town, returning to Cape Town after about two hours of discussion. This request was also sent to the SSSC. The document is signed by a Captain Meyer of SO2 OPS (Beheer). File No. 22/8/4/1/1, National Archives, Pretoria.

available. Finalisation will not be reached until the 11 June when you will be contacted again.”<sup>325</sup> Although the document links the victory feast to forthcoming anti-stayaway activities, it clearly supports and endorses the group engaged in arson and killing. It should also be noted that the attack on KTC ended on 11 June 1986, the date on which ‘finalisation will be achieved’.

After the attacks, KTC residents then instructed the Legal Resources Centre to sue the SAP for damages sustained. Statements were taken from over three thousand families. The Supreme Court damages claim was issued on behalf of twenty one parties whose claims exceeded R10 000. It was alleged that, through conspiracy or alternatively negligence, members of the SAP had made common cause and assisted the witdoeke in destroying, damaging and/or causing the loss of property. Alternatively, they had wrongfully and unlawfully failed to take reasonable steps to prevent the destruction, damages and/or loss of the property in circumstances in which they did foresee or ought reasonably to have foreseen the said destruction. Further, they could and ought to have taken such steps and they were under a legal duty to do so. The total value of all the Supreme Court and Magistrate Court claims reached nearly R5 million.

The Minister of Law and Order denied these allegations and the case began in September 1987.<sup>326</sup> Throughout the case, all 33 defence witnesses representing the state consistently denied any involvement in the attacks or support to the witdoeke. The Commissioner of Police, Gen Johan Coetzee testified in the subsequent court case that the police were trained to be impartial and it was not in the ‘culture’ of the SAP to take sides or engage in illegal actions. He stated that “I was never in a Cabinet meeting where these matters were discussed”,<sup>327</sup> although the SSC had approved covert support to the witdoeke. General Wandrag denied any knowledge of any conspiracy and argued that the SAP did not regard the ANC or ‘comrades’ as the enemy, only as criminals. The case ran from September 1987 to June 1989 and was settled out of court in February 1990.<sup>328</sup>

<sup>325</sup> Document reference WPGBS/888/9 Jun 86, with heading “WPGBS/22/7/4/49 Ontlonting Wegblyaksies 16 Jun”. SSC collection, file 22/8/4/1/1, National Archives, Pretoria.

<sup>326</sup> Cape Town Supreme Court case no 13082/86, Methodist Church of Africa and P M Mzamka and 20 Others vs The Minister of Law and Order.

<sup>327</sup> Cape Town Supreme Court, case 13082/86, court record, page 4595.

<sup>328</sup> The Legal Resources Centre estimated that the state spent at least R10 million defending the case while LRC spent about R1 million of funders’ money. The case was settled by the withdrawal of the action and the allegations set out in the claim. Thus there was no judgement and no court decision. Representatives of the parties met and agreed that a Trust would be set up to benefit all victims of the two attacks. An amount of R5 million was disbursed into the client community. The vast majority of the money was disbursed to individual victims but community

Despite these denials of complicity, the state took the highly unusual step of issuing Section 66 notices barring access to evidence requested by the LRC.<sup>329</sup> Five Section 66 certificates were issued by the relevant Ministers. Three were signed by Minister of Law and Order Adrian Vlok, one by the Minister of Defence Magnus Malan and one by Deputy Minister of Law and Order Roelf Meyer.

The following kinds of documentation were thus barred, *inter alia*: specific written instructions or orders given by Major General Wandrag relating to the events at Crossroads or KTC during May and June 1986; almost all SADF documentation relating to their activities in the area during the May and June burnings; all general staff meeting minutes of the SAP referring to the events at KTC and Crossroads; documents and files in the possession of the security police relating to KTC and Crossroads; documents relating to the helicopter in use by the security forces during the attacks; and JMC documentation relating to KTC and Crossroads.

After the 1986 expulsion and destruction of the UDF-aligned squatter camps, conservative squatter leaders Johnson Ngxobongwana and Mali Hoza in Khayelitsha were able to consolidate their control of their areas in conjunction with the security forces and local authorities, namely the Crossroads Town Council and the Lingeletu West Town Council in Khayelitsha respectively. These areas were to remain 'sealed' to the resistance movements until the end of the decade, although elements of opposition in Khayelitsha did exist. As 'mayors', Ngxobongwana and Hoza were able to draw upon the resources of the Town Councils to extend their patronage base. In line with McCuen's counter-revolutionary 'oilspot strategy' through which politically compliant communities were rewarded, the state made available millions of rands for upgrading Crossroads and developing Khayelitsha.<sup>330</sup>

These two leaders were able to run these areas as private fiefdoms, establishing an extensive network of control through financial extractions and informal judicial control of the population. Political challenges were not tolerated by Hoza or Ngxobongwana who acted violently against

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halls were also built in the various client communities that requested them. Information from the statement by LRC Director Steve Kahanovitz to the TRC hearing on 10 June 1997.

<sup>329</sup> In terms of Section 66 of the Internal Security Act a Minister of state who was of the subjective opinion that disclosure of certain evidence could prejudicially affect the safety of the state s/he could prohibit the evidence from being aired by issuing such a certificate.



any such threats. At no stage did the security forces intervene to halt such actions.<sup>331</sup> In Crossroads, Prince Gobingca, erstwhile witdoeke leader, fell out of favour and was violently ejected from Crossroads in July 1987. Gobingca himself was shot and injured, and up to thirty homes of his supporters in Crossroads were torched, driving out these potential opponents.<sup>332</sup>

In Khayelitsha particularly, the 'amasolomzi' ('traditional' informal community police) established a brutal reputation. In the second half of 1988, numerous urgent interdicts were applied for in the Supreme Court<sup>333</sup> against Hoza and/or his 'amasolomzi' by Khayelitsha residents, particularly those linked to the Joint Action Committee, a body which threatened Hoza's political supremacy in the area.

In stark contrast to the state's attitude to 'people's courts', the courts and judicial systems run under Ngxobongwana and Hoza received the full endorsement of the state. While the 'people's courts' associated with the UDF were repeatedly raided by police and numerous people charged with sedition, the informal courts and prisons run by pro-state vigilantes remained either untouched and even protected and defended by the forces of law and order. Court cases and evidence obtained by the TRC bear out this observation. The actions of the amasolomzi and the informal courts were both supported and encouraged by the local authorities and security forces as 'tribal courts' aimed at keeping law and order.<sup>334</sup>

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<sup>330</sup> See A Boraine, "Managing the Urban Crisis, 1986 – 1989: The Role of the National Management System" in *South African Review* 5, Ravan Press, 1989, pages 106 – 118. The article describes the 'oil spot strategy'.

<sup>331</sup> The JMC's slavish devotion to Ngxobongwana is evident in the surviving minutes of the local JMC substructures, retrieved by the TRC. For example, donations of bricks were made by the SADF's Comops to Ngxobongwana for his house, and security guards were organised to protect him. Minutes of the Executive Committee of the mini-JMC for the black townships, from folder C7/6/7/88 entitled "GBS Swart Gebiede", retrieved from SAP's Thomas Boydell Building by the TRC.

<sup>332</sup> TRC statement CT08605/FLA.

<sup>333</sup> See for example Supreme Court cases No. 13490/86, 10114/88, 4207/89, 6641/89, 5588/89, 10288/89, most of which are applications for restraining orders against Hoza, the 'solomzi' homeguards, and the Lingeletu West town councillors. See also *The Argus*, 2 November 1988.

<sup>334</sup> This remarkable SAP instruction entered in the information book of the Khayelitsha Police Station, presented in Supreme Court case no 13082/86 (Methodist Church of Africa and P M Mkamka and 20 Others vs The Minister of Law and Order) graphically illustrates this attitude:

"Samewerking SAP - Tuiswag Terrein C. Alle lede word ernstig versoek om baie diplomatie op te tree wanneer klagtes deur publiek ingedien word. Hierdie mense lewer 'n geweldige "groot" hulp aan SA Polisie soos jul self weet. Wanneer publiek kla date persone byvoorbeeld aangehou word verwag ek dat sulke klagtes ondersoek sal word, maar met inagneming van die beskerming van ons goeie samekwerking. Lede wat die Cresh besoek moet die eienaars respekteer - d.w.s. nie daar inbaars sonder toestemming nie. Praat en gesels met mnr Hoza of Kama of wie ook al daar in beheer is. Ek het die versekering van die komitee dat hulle nie mense sal aanrand nie of sal intimideer nie. As hulle nie die huishoudelike moeilikheid self kan oplos nie, sal hulle die saak na SAP verwys. Selfs kriminele sake word soms eers deur hulle

Crossroads informal settlement under Johnson Ngxobongwana ran a system of informal justice and even had informal prisons. Legal support bodies at the time took numerous affidavits from those held and harshly beaten in this prison,<sup>335</sup> and there is evidence that even killings took place. In one example, a carload of youngsters was stopped at a 'witdoek' roadblock next to Crossroads on the night of 25 May 1986. Two men and a woman were then abducted by the witdoeke and held in an informal prison in Crossroads. While the young woman managed to escape, the two young men Lukhanyiso Finye and Vuyani Dyaboza were brutally beaten and stabbed to death and their bodies dumped.<sup>336</sup>

Subsequent police investigations led to charges being laid against Ngxobongwana regarding the operation of this court. Police official Leonard Knipe testified to the TRC that he was instructed by the Regional SAP Commissioner to ensure Ngxobongwana's release on bail on orders 'from the top'.

*"I remember that following Ngxobongwana's arrest, which was regarded as a major breakthrough, that his arrest was reported to the then Divisional Criminal Investigations Officer, Brig van der Westhuizen who was enthusiastic about the arrest. ... During the early afternoon of the same day that Ngxobongwana appeared in court I received a telephone call from an agitated Brig van der Westhuizen. .... The impression was that he had been severely rebuked because of our actions taken against Ngxobongwana and that he had been instructed by either the State President or Minister to see to it that Ngxobongwana was released on bail. I was informed that the authorities were fully conversant with Ngxobongwana's court, that it was not a people's court but a tribal court. I was instructed to immediately see to it that Ngxobongwana was released on bail. I phoned the State Prosecutor at Wynberg Magistrate's Court and related the instructions which I had received from Brig van der Westhuizen to him. Later that same afternoon Ngxobongwana was brought before the court and released on bail of R50."*<sup>337</sup>

The consequence of this state endorsement and protection of conservative leadership figures such as Ngxobongwana and Hoza was that large areas of the African townships (including virtually the

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"bespreek", waarna die beskuldigdes aan ons oorhandig word, dus kry ons baie hulp van die mense en moet ons dit so hou asseblief. Onthou net elke storie kry 'n sterjie en so lieg party klaers om ons om ... vir ons om hul bas te red en kry ons die wind wat voor in ons optrede. Dankie."

"Optrede teen klipgooiers Terrein C. Alle lede moet kennis neem dat die inwoners van Terrein C nou 'n tipe "wag" op die been gebring het om ook self teen jeugdiges op te tree wat moontlik aan brandstigting of klipgooiery deelneem. Uit die aard van hul betrokkenheid en die wil om ons as SAP te help moet lede oordeelkundig te werk gaan met die sulkes indien daar by geskiet word of groepe met kwarwatse of knopkieries op die straat aangetref word. Hierdie persone wat ons gaan help sal 'n wit armband ... dra om as uitkenningsteken te dien....AK bevelvoerders moet by klaers ook vra of 'n persoon wat hom aangerand het 'n wit doek om die arm gedra het.."

<sup>335</sup> See for example affidavits taken by the Legal Education Action Project at UCT.

<sup>336</sup> TRC statement CT00730/FLA.

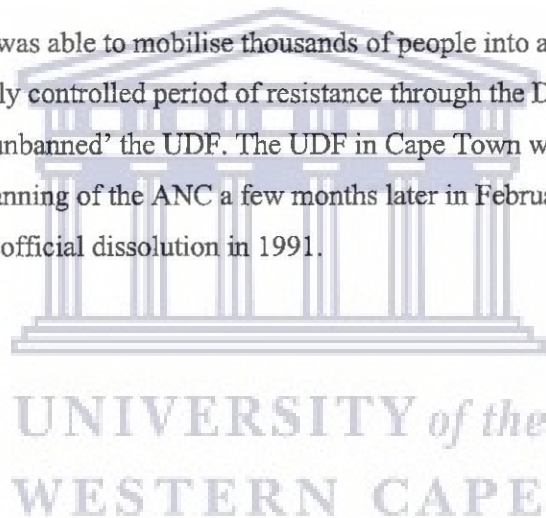
<sup>337</sup> Testimony of Leonard Knipe, TRC hearing, Cape Town, June 1997.

whole of Khayelitsha) that fell under their control remained entirely out of reach of the UDF and its affiliates until the 1990s.

In summary, state efforts to counter the UDF in Cape Town were covert and overt, legal (in terms of apartheid legislation) and extra-legal. They were aimed at individuals, organisational structures and strategic communities. These features are shared with other regions. Notably, however, Cape Town did not see assassinations and trials of UDF leadership. The state was to score its most significant successes through covert strategies designed to co-opt support and recruit opponents to the UDF from the UDF's own potential support base.

These strategies had the relative success of such strategies in forcing the UDF onto the defensive in Cape Town during the years of 1987 and 1988. UDF official Valli Moosa is described as saying that during this period, the UDF was only able to run a "holding operation".<sup>338</sup>

However, by 1989 the MDM was able to mobilise thousands of people into a relatively disciplined and organisationally controlled period of resistance through the Defiance Campaign, through which it effectively 'unbanned' the UDF. The UDF in Cape Town was central to this revival. Despite this, the unbanning of the ANC a few months later in February 1990 was to eclipse the UDF until its final official dissolution in 1991.



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<sup>338</sup> Seekings, (2000), page 202.

## CHAPTER 4

### ARMED RESISTANCE : STATE ACTION AGAINST THE UNDERGROUND MILITARY WING OF THE LIBERATION MOVEMENTS

*"In some cases it was necessary to eliminate activists by killing them. This was the only way in which effective action could be taken against activists in a war situation ... to charge someone in the normal court structure and go through the whole process was cumbersome and occasionally totally inadequate and impossible."*

Major General 'Sakkie' Crafford, former Security Branch police officer.<sup>339</sup>

Prior to the 1990s, it was the ANC's armed wing Umkhonto we Sizwe (MK) that dominated the terrain of armed actions by the exiled liberation movements across the country, including the greater Cape Town area. No armed actions by the armed wing of the PAC, Apla, could be identified for the period 1985 to 1989 in Cape Town in either newspaper reports or police documentation recording acts of 'terrorism'. Although several PAC and Qibla<sup>340</sup> members faced trials in the Peninsula between 1985 and 1989, these charges appeared to be largely related to charges such as 'furthering the aims of a banned organisation', or undergoing military training.<sup>341</sup> It would only be in the 1990s after the unbanning of the ANC and PAC that Apla activities became markedly visible in the Western Cape. A study of the armed actions in Cape Town in the period under review is thus almost exclusively a study of the actions of MK.

The TRC identified four distinct forms of armed military actions by the ANC inside the borders of South Africa in the pre-1990 period<sup>342</sup>. Firstly, there were bomb attacks on urban security-related targets, although many such targets had a very weak link to the security forces and resulted in high levels of civilian casualties. Secondly, there were direct armed combat encounters

<sup>339</sup> Amnesty application of Major-General SJ Crafford, AM5468/97.

<sup>340</sup> A newspaper article links a shooting attack on police from a mosque to Qibla. Die Burger 17 March 1987.

<sup>341</sup> For example, Bathemba Bethwell Lugulwana and six others were charged with terrorism and furthering the aims of the PAC and AZANYU, as well as attempting to undergo military training. Focus newsletter, No 66, September – October 1986, page 5. All but one, Andile Gusha, were acquitted. Focus No 70, May – June 1987, page 6.

between MK operatives and members of the security forces in both urban and rural environments. In the third instance, there were armed attacks on individuals who were members of the security forces or who were deemed to be traitors or collaborators. These included police, community councillors, former ANC members, state witnesses at security trials, and members of groups opposing the ANC. Fourthly and lastly, there was the landmine campaign that took place in the border regions of the former Transvaal in the period 1985 to 1987. This was the only use of landmines by the ANC and remained confined to that province.

In its submissions to the TRC,<sup>343</sup> the ANC took responsibility for all four of these categories and in general encouraged its members to apply for amnesty from the TRC, although this had an uneven response.<sup>344</sup>

*"[The 1985 Kabwe] Conference reaffirmed ANC policy with regard to targets considered legitimate: SADF and SAP personnel and installations, and selected economic installations and infrastructure. But the risk of civilians being caught in the crossfire when such operations took place could no longer be allowed to prevent the urgently needed, all-round intensification of the armed struggle. The focus of armed operations had to shift towards striking directly at enemy personnel, and the struggle had to move out of the townships to the 'white' areas."<sup>345</sup>*

*It is very important to point out that attacks not in accordance with ANC policy did not become a trend in the late 1980s, in the sense that such actions became the dominant form of all MK attacks. .... Attacks resulting in primarily civilian casualties represented a very small proportion of all armed actions: the majority of MK actions continued to be in line with ANC policy during this period, which is testimony to the degree of discipline amongst our cadres in the face of extreme provocation. .... The ANC ... did not approve of attacks on 'civilian targets'.... A number of attacks did [however] take place, carried out by MK, which were not in line with ANC policy."<sup>346</sup>*

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<sup>342</sup> TRC Report, Volume 2, Chapter 1, paragraphs 144 to 147.

<sup>343</sup> African National Congress Statement to the Truth and Reconciliation Commission, August 1996; Appendices to the African National Congress Policy Statement to the Truth and Reconciliation Commission, August 1996; Further Submissions and Responses by the African National Congress to questions raised by the Commission for Truth and Reconciliation, 12 May 1997; Appendices to the Second Submission by the African National Congress to the Truth and Reconciliation Commission, 12 May 1997.

<sup>344</sup> The ANC did not ultimately accept the findings of the TRC that certain of these forms of attacks to be gross violations of human rights. This was its principle objection to the findings of the TRC and led to its failed attempt to interdict the handover of the TRC's five volume report to former President Nelson Mandela on 29 October 1998.

<sup>345</sup> African National Congress, Statement to the Truth and Reconciliation Commission, August 1996, page 51.

<sup>346</sup> Further Submission and Responses by the African National Congress to Questions raised by the Commission for Truth and Reconciliation, African National Congress, 12 May 1997, page 14.

While Cape Town did not see military action by MK on the scale of that experienced by the former Transvaal and Natal, it was nevertheless a site of a steady and significant series of largely sabotage actions.<sup>347</sup> The central response of the state to this terrain of resistance was managed by the Security Branch of the police and took the form largely of detentions, torture and trials. There are however also significant cases of extra-judicial killings of MK operatives, although these too do not approach the numbers and extent of such killings in the afore-mentioned provinces. There were therefore both overt and covert, legal and extra-legal means of repression deployed.

Armed actions in Cape Town during the period under review fell largely under the command of frontal MK commanders based in Botswana, Lesotho and Swaziland. James 'Makhaya' Ngculu in Botswana played a key role overseeing operations in the Cape.<sup>348</sup> The ANC submission states that a specialised structure concentrating on the Western Cape was set up in this period in Botswana.<sup>349</sup> It lists James and Miranda Ngculu, Patrick 'Blah' Ricketts, and Dick Ngomane as its members.<sup>350</sup>

Despite the formal lines of command and control, it would ultimately be the MK units active within Cape Town who selected targets and operations. As the ANC stated,

*"[i]n contrast with a conventional military force, in which virtually all planning takes place at HQ level by experienced officers, in guerrilla warfare most of the initiative is with the unit, and detailed planning takes place at the lowest level. Each cadre has to be trusted to make decisions with regard to choice of target within ANC policy, whilst keeping a close eye on developments and feelings among people in his/her community - a responsibility which no soldier in a conventional force ever has to face."<sup>351</sup>*

Both externally and internally trained operatives were active in Cape Town. There was a growing base of internally trained personnel who did not have to live underground but merely engaged in clandestine activity, whereas externally trained operatives had to operate entirely underground.

<sup>347</sup> Unless stated otherwise, factual information concerning armed attacks contained in this section was taken from a document authored by the SAP entitled "Opsomming van Tereurdade 1976 -- 1986", undated, submitted to the TRC by the South African Police Service (SAPS).

<sup>348</sup> Information concerning command structures in the region was obtained from an interview conducted in April 2000 with a former MK member who operated in the Cape Peninsula, who wished to remain anonymous.

<sup>349</sup> Further Submission and Responses by the African National Congress to Questions raised by the Commission for Truth and Reconciliation, African National Congress, 12 May 1997, page 54.

<sup>350</sup> Lincoln Vumile 'James' Ngculu did apply for amnesty from the TRC (AM5516/97) but not for specific acts. His application forms part of a number of applications from senior ANC members who applied for amnesty for collective and general political responsibility for violations. As the TRC legislation only permitted amnesty for specific actions, his application along with the others in the 'collective application' was ultimately refused.

<sup>351</sup> ANC, (1997), page 15.

For example, the Ashley Kriel Unit was under the command of Aneez Salie, a UDF activist who had left the country to join MK and had returned to be based underground in Cape Town. The unit was made up of internally trained operatives including Coline Williams, Sydney Hendricks, and Venessa Rhoda November, all of whom were UDF activists in varying degrees.<sup>352</sup> While Williams, Hendricks and November were trained locally, certain local internal operatives were taken for crash courses in Angola before returning to engage in armed actions.

During the period 1985 to 1989, there were clearly several hundred MK members active in varying degrees in the Western Cape, made up of externally based members infiltrated into the region for varying time periods and a locally based clandestine membership. The ANC commented on this factor:

*“MK cadres conducted crash courses for eager volunteers inside the country. Some of these recruits had sketchy political understanding of the nature of the struggle in comparison with those cadres who had gone through the intensive political and military training provided in camps in exile. Some supporters had loose connections with MK units, and drifted in and out of structures; they were never thoroughly under the discipline of the ANC and MK, yet commanders on the ground sometimes found their contributions indispensable.”<sup>353</sup>*

#### **Armed Actions in the greater Cape Town area**

A detailed account of the activities of MK in the region is yet to be written. The picture of MK actions and its presence and networks in the Peninsula remains patchy and fragmented, emerging mainly from police reports, trials, limited disclosures and a few amnesty applications to the TRC. Efforts to reach beyond these sources still generally meet the response from MK members that it is ‘too early’ in the political transition to begin such disclosures or recount a fuller story. This account therefore is based upon information that resides largely in the public terrain including newspapers as well as police data submitted to or obtained by the TRC.

Prior to 1985, Cape Town and indeed the Western Cape region as a whole, had seen a very limited number of armed actions by MK. A police document listing all armed actions by the ANC reports only 5 actions in Cape Town in the years 1979 to 1982.<sup>354</sup>

<sup>352</sup> Evidence heard at the amnesty hearing held on 28 October 1999 in Cape Town.

<sup>353</sup> ANC, (1997), page 15.

<sup>354</sup> SAP document entitled “Opsomming van Tereurdade 1976 – 1986”, undated, submitted to the TRC by the SAPS. These included the following sabotage attacks: the Supreme Court on 15 May 1979, state offices on 9 December 1981, the Langa Administration Board on 20 March 1982, the Cape Town Centre on 4 June 1982 and the Koeberg Nuclear Plant on 18 December 1982. There

This slow pace was to change quite dramatically from June 1985 when armed attacks in the Peninsula began again after a lull of two years. Ultimately, over 100 armed attacks took place between 1985 and 1989. This reflected the dramatic upsurge of MK activity throughout the entire country in that period. However, these actions did not have as high a casualty rate as elsewhere in the country. Only six deaths can be linked to MK activity in the Peninsula in the period under review. Two were unintended civilians (Rashaad Witten and Elliot Mpathio Ketelo), three were police personnel (Const G Labuschagne, Special Constable SH Hudson and Special Constable G Gwazekhaya) and one was a town councillor (Nozico Siboto). In addition, two MK members themselves died while engaged in a sabotage operation when their limpet mine exploded (Coline Williams and Robert Waterwitch).

The same police documentation indicates that up to sixty injuries resulted from MK armed attacks in this period. These were mainly light shrapnel wounds or severe shock, but several individuals required hospitalization and a few suffered permanent injuries. For example, a white SAP member was shot and seriously injured while investigating an MK person in Guguletu on 26 June 1986, and Captain Paul Loock was injured by hand grenade shrapnel while arresting MK member Mxolisi Petane on 27 November 1986. Similarly, Guguletu community councillor Dennis Lobi was shot and injured on 5 August 1988.<sup>355</sup>

Only one group of MK members applied for amnesty from the TRC for acts conducted in Cape Town during this period, discussed in the Moegamat Bartlett case below. This absence of amnesty applications may be as a result of the deaths of the MK members responsible or the fact that there were numerous terrorism trials in the Peninsula which convicted tens of MK members for particular acts. These MK members then served prison terms before being either indemnified or released from prison as political prisoners in the 1990s. For example, MK member Alan Mamba served several years in prison for the death of Elliot Mpathio Ketelo before being

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is not a single incident recorded throughout 1983 and 1984. The attack on the Cape Town Centre on 4 June 1982 did result in the death of Michael Younghusband (26). No amnesty applications were received by the TRC for this killing although the ANC did take responsibility for the bomb in its second documentary submission to the TRC entitled Further Submission and Responses by the African National Congress to Questions raised by the Commission for Truth and Reconciliation, African National Congress, 12 May 1997, page 77.

<sup>355</sup> South African Police Harms-Kommissie: Terreurdade in die RSA, Volume 5 page 136, Volume 6, page 236, and Volume 10, page 145.



released as a political prisoner in 1991.<sup>356</sup> Mamba did not apply for amnesty for the death. However, the deaths of Constable Labuschagne and Special Constable Gwazekaya remain 'unaccounted for' through amnesty applications although the ANC took responsibility for the two attacks.<sup>357</sup>

The police documentation indicates that the Western Cape accounted for just over 18% of armed attacks nationally in 1985. A sustained campaign of armed attacks involving the almost exclusive use of handgrenades took place in the Peninsula that year. There were twenty five separate hand grenade attacks which resulted in one death and over twenty injuries. This was probably linked to Operation Zikomo, adopted by the ANC in the latter half of 1985 which saw handgrenade squads sent into the country.<sup>358</sup> There was a strong shift in 1985 towards attacking personnel of institutions deemed oppressive or 'collaborative'. The chief targets were members of the Labour Party, community councillors and members of the security forces. Notably, the trend was to launch attacks on the private homes of these targets, as opposed to direct attacks on the individuals themselves. The attacks were often at night when the family of the target would also be present.

The opening salvo took place on June 12 1985 when the private homes of two members of the Labour Party in Mitchells Plain (Lluwellyn Landers, the then Deputy minister of Population and Development) and Grassy Park (Fred Peters, Labour Party secretary) were attacked with grenades resulting in one serious injury. The same day a grenade was thrown into the police station in Langa, and a limpet mine was also found on the premises.<sup>359</sup> On June 14, 15 and 16 the homes of three community councillors in Crossroads, Langa and Nyanga respectively were attacked with grenades.<sup>360</sup>

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<sup>356</sup> Information obtained from Alan Ndodomzi 'Chicks' Mamba himself. See also State versus AD Mamba, Case No. 24/89, Cape Town Supreme Court.

<sup>357</sup> Further Submission and Responses by the African National Congress to Questions raised by the Commission for Truth and Reconciliation, African National Congress, 12 May 1997, pages 90 and 94.

<sup>358</sup> Operation Zikomo is detailed in Howard Barrell, Conscripts to their Age: African National Congress Operational Strategy, 1976 – 1986, D.Phil thesis, Oxford University, 1993, chapter 9.

<sup>359</sup> This was the only instance of weaponry other than handgrenades being used throughout 1985.

<sup>360</sup> During the Nyanga attack, police opened fire on the fleeing attackers and shot dead a nearby resident Dumisani Ntlangeni sleeping in an outside shack. TRC statement CT00737/FLA. The Argus 17 June 1985.

On 19<sup>th</sup> June three members of the Security Branch were injured when a grenade was thrown at them near the Guguletu police station.<sup>361</sup> These attacks were followed by a security swoop on the weekend of 21/22 June, involving door to door searches in Guguletu.

In July the home of a former community councillor was attacked on the 2<sup>nd</sup>, while the home of a Guguletu resident was attacked on the 24<sup>th</sup>. In August the homes of two prominent Labour Party members in Mitchell's Plain and Heathfield were attacked on the 15<sup>th</sup> and 29<sup>th</sup> respectively. The Mitchell's Plain attack on the home of Stanley Fisher resulted in the first fatality resulting from MK actions in the period under review. Neighbour Rashaad Witten, 16, was killed while Fisher's three sons were injured.<sup>362</sup> At the funeral of unrest victim Sithembele Mathiso on 10<sup>th</sup> August, a grenade was thrown at police injuring police personnel, including the head of the Riot Unit, Major Dolf Odendaal.<sup>363</sup> On the 18<sup>th</sup> August the property of a black resident of KTC was attacked.

The two September attacks targeted the South African Railway police in Langa on the 11<sup>th</sup> and a community councillor in New Crossroads on the 28<sup>th</sup>. During October, two grenades were thrown at the SAP and SADF in Crossroads on the 23<sup>rd</sup> while a Crawford petrol station was attacked a week later.

November saw two attacks on the Bellville and Guguletu homes of two security force members.<sup>364</sup> On the 17<sup>th</sup> November two grenades were hurled into the Manenberg police station, only one of which exploded. The Woodstock branch of Barclays Bank was attacked on the 18<sup>th</sup> and a grenade was thrown at the SADF in Old Crossroads on the 21<sup>st</sup>.

The two December attacks on the 31<sup>st</sup> both targeted a group of older conservative residents including Prince Gobingca who were engaged in a violent campaign of routing UDF activists from the New Crossroads area at the time. Light injuries were incurred by those attacked.

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<sup>361</sup> The Argus 20 June 1985.

<sup>362</sup> Die Burger, 16 August 1985. Salt River mortuary register No. 96, entry number 2513, states that sixteen year old Witten died of a torn ileac artery. Mitchells Plain docket MR 389/08/85 is referred to in the mortuary register.

<sup>363</sup> Cape Times 12 August 1985.

<sup>364</sup> The Argus 18 November 1985.

In 1986 there were at least nineteen incidents, spread fairly evenly between four grenade attacks on security force personnel, four explosive devices in buildings and five gunshot attacks on security force personnel. No deaths occurred that year but several police personnel were injured.

Primed explosive devices were detonated at the Mowbray railway station toilet on the eve of Mayday, and at the Mowbray police station on 3 July.<sup>365</sup> In a new development, an unexploded bomb was discovered in a car in a Parow shopping centre parking lot on 25 July for which MK member Mxolisi Petane was later charged and convicted.<sup>366</sup> Petane claimed in court that the car bomb had not been primed for detonation and was meant to serve as a warning about the capabilities of MK.

During the early months of 1986 there was a sharp increase in the number of 'sniper' attacks on security forces patrolling in the African townships. The ongoing sniper shooting attacks were primarily centred around the informal settlements. Two policemen were killed in Crossroads on 25 March 1986 although there are indications these were not MK actions. Constable Reinhardt Spangenberg, 20, was shot and strangled to death in Crossroads, while allegedly engaged in criminal activities. Several hours later, police attending the scene were shot at and a black member of the SAP's COIN unit, Constable Patrick Legong, 25, was shot in the head and killed.<sup>367</sup> Neither the shooting of Spangenberg nor Legong are included in the 'list of terrorist actions' compiled by police for the Harms Commission in 1990.<sup>368</sup> This tends to confirm that these were not attacks by MK members.

The approximately twenty incidents in 1987 include ten handgrenade attacks, eight explosive device explosions and three shooting attacks. Two fatalities resulted from two of the handgrenade attacks. Explosive device attacks were almost exclusively mini-limpet mines and involved several 'soft' targets where civilians would have been potential casualties. Certain

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<sup>365</sup> The Argus 3 July 1986.

<sup>366</sup> The Argus 29 July 1986.

<sup>367</sup> Police appear to have believed that a young local CAYCO activist Ayanda Silika was responsible for the shooting. Silika's brother had been shot dead by police in 1985 and it was believed that he was motivated by revenge. Ayanda Silika himself was then shot dead by police on 12 May 1986, while allegedly attempting to escape from custody. This incident is described earlier in Chapter 3.

<sup>368</sup> South African Police Harms-Kommissie: Terreurdade in die RSA gepleeg vir die tydperk 1 Jan 1986 - 30 Jun 1986, Volume 5, no date.

terrorism trialists later admitted attacks on three homes of policemen in Mitchells Plain, Bonteheuwel and Uitsig, one of which seriously injured a child.<sup>369</sup>

In a significant 'soft target' attack that did not result in any injuries, two limpet mines were placed in the ladies' toilets at Cape Town's airport on 21 July around midnight, one of which exploded.<sup>370</sup> This attack was carried out by Jenny Schreiner under the command of Tony Yengeni.<sup>371</sup>

The other explosive device attacks in 1987 targeted power pylons, railway lines, petrol stations, the Athlone Magistrate's Court,<sup>372</sup> and a bus stop outside a government residence<sup>373</sup>. On 20 July a large car bomb exploded outside SADF family residences in District Six<sup>374</sup> and on 24 November a primed limpet mine was discovered at a bus terminus in Cape Town.

The handgrenade targets in 1987 were SAP personnel (both on patrol and in their homes) and community councillors, or persons linked to these groups. On 9 January a handgrenade was thrown into a vehicle driven by the notorious Warrant Officer Barnard referred to in earlier chapters near KTC. The explosion killed his right hand man, Constable Labuschagne and seriously injured Barnard himself.<sup>375</sup> Police later publicly announced that local youth activists, Malibongwe Njodo, Mpumemelo Benghe and Harold Msizi, were being sought in connection with the attack. The latter two then fled the country. The second fatality resulted from a handgrenade and shooting attack on a group of special constables in Nyanga on 15 December 1987. Forty five year old Special Constable Ginyigazi Gwazekaya was fatally wounded.<sup>376</sup> This followed an earlier attack on a police patrol that included special constables on 22 June 1987.<sup>377</sup> No amnesty applications were received by the TRC for these killings.

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<sup>369</sup> The Argus 23 April 1987.

<sup>370</sup> The Argus 22 July 1987.

<sup>371</sup> State versus TS Yengeni and 13 others, Case No. 1/89, Cape Town Supreme Court.

<sup>372</sup> The Argus 13 June 1987.

<sup>373</sup> Cape Times 6 February 1987

<sup>374</sup> The Argus 21 July 1987.

<sup>375</sup> The Argus 10 January 1987 and Cape Times 12 January 1987

<sup>376</sup> Salt River mortuary register 5/87, Number 4288. Nyanga docket MR 98/12/87 refers. The Argus 19 December 1987.

<sup>377</sup> Cape Times 23 June 1987.

Community councillor Dennis Lobi's home was twice attacked by grenades on the 15<sup>th</sup> and 16<sup>th</sup> June injuring four people.<sup>378</sup> Police also linked Benga and Msizi to this attack.<sup>379</sup>

Armed attacks in 1988 and 1989 show a shift to targets closely linked to popular internal campaigns against local and national elections. Previous targets had been of a more general nature - collaborators, security forces and symbolic infrastructure and state installations. This shift demonstrates an increasingly close relationship to the internal opposition movement.

The MK actions in 1988 were almost exclusively limpet mine explosive devices. The twenty one mainly mini-limpet mine attacks targeted buildings and institutions particularly in the build up to the October 1988 municipal elections. Thus, magistrate's courts used for the nominations process and other municipal buildings were the targets.

There were also three fatalities that year. In the first, Special Constable Sandile Hudson Thobela was killed in a gun attack on a group of special constables in Nyanga on 28 May 1988.<sup>380</sup> In the second, a homeless person Elliot Mphathio Ketelo was killed while looking into a dustbin in which explosives had been placed outside the Wynberg magistrate's court.<sup>381</sup> This was one of three simultaneous attacks on magistrate's courts on June 16 1988. MK member Allan Ndodomzi 'Chicks' Mamba was later convicted for this killing.

On 3 July 1988, a female community councillor, sixty three year old Nozico Siboto, was shot dead at her home in Langa.<sup>382</sup> Mamba's colleague Nkululeko 'Solly' Mutsiye/Matsi died two days later on 5 July 1988 in Guguletu after a four hour gun battle with police. Police documentation links Matsi to the death of Thobela and Siboto, although this has not been independently verified.<sup>383</sup> This attack possibly constituted the only successful planned assassination by MK operatives in the region.

<sup>378</sup> *The Argus* 16 June 1987 and *Cape Times* 17 June 1987.

<sup>379</sup> South African Police Harms-Kommissie: *Terreurdade in die RSA gepleeg vir die tydperk 1 Jan 1987 - 30 Jun 1987*, Volume 7, no date, pages 121 – 122.

<sup>380</sup> Salt River mortuary register 7/88, entry 2000, states that Thobela (spelt Tubela), a 45 year old widower, died of a shotgun wound to the chest with extensive loss of blood. He was guarding a premises to be used by the SAP at the time of the attack. Guguletu case docket CR46/05/88 is referred to in the mortuary register.

<sup>381</sup> *The Argus* 16 June 1988.

<sup>382</sup> TRC statement CT00947/FLA.

In the only handgrenade attack that year, up to ten policemen, two boys and a woman were injured when a police patrol was attacked with grenades and shots near the Nyanga police station on 21 December 1988.<sup>384</sup>

Local Bonteheuwel resident Moegamat Nurudien Bartlett was seriously injured on 28 November 1988 when he picked up a milk carton containing a limpet mine outside the Bonteheuwel municipal rent office.<sup>385</sup> The explosion left him with permanent injuries including the loss of an eye and fingers and the amputation of half a leg.

*"I was on my way home from work walking down Jakkalsvlei Avenue. In front of the rent office I saw a milk carton on the ground. I picked it up and opened it and it exploded whilst I was trying to look inside it. I lost my right eye, three fingers and right hand in the explosion. My body was burnt on the top half and my left ankle was damaged. I woke up in Groote Schuur Hospital. I was there for three to four months. I heard later from people that police thought that I was responsible for placing the bomb."*<sup>386</sup>

Overall commander of the Ashley Kriel Detachment, Aneez Salie, applied for amnesty for this act, while Sydney Hendricks and Venessa Rhoda November as operatives of the Bonteheuwel unit engaged in the operation. MK operative Coline Williams was also part of the operation, but was killed during another operation in July 1989.<sup>387</sup>

In 1989 there were at least twelve explosive devices detonated. A limpet mine was activated outside the Supreme Court on 10 February. Electoral polling stations were also targeted, as well as railway lines and stations. Again, magistrate courts were key targets as they were nomination points for the 'whites-only' election of September 1989. On 23 July, three attacks took place at magistrate's courts. One of these killed two MK operatives, Robbie Waterwitch and Coline Williams outside a toilet opposite the Athlone magistrate's court.<sup>388</sup>

The overall picture of MK actions between 1985 and 1989 is of fairly consistent activity with a relatively low casualty rate. The death and injury rate is significantly lower than that experienced in other regions. Four of the six killed can be considered to have been the intended target of the

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<sup>383</sup> South African Police Harms-Kommissie: *Terreurdade in die RSA*, undated, Volume 9 page 78 and Volume 10 page 108. Guguletu case docket MR 1986/07/86 refers.

<sup>384</sup> *The Argus* 22 December 1988.

<sup>385</sup> *Cape Times* 29 September 1988.

<sup>386</sup> TRC statement number CT00667/HEL, MN Bartlett.

<sup>387</sup> Amnesty hearing of A Salie (AM6145/97), S Hendricks (AM6146/97) and V November (AM7988/97) held in Cape Town on 28 October 1999.

attack (the three police personnel and the town councillor) while the remaining two cannot be considered to have been the intended targets (Rashaad Witten and Elliot Ketelo).

In summary, a steady level of around 20 to 25 MK actions a year was maintained between 1985 and 1989 despite arrests, trials and deaths of MK members. This ebbed somewhat in 1989. This incident rate was far lower than the former Transvaal or Natal areas and the Cape Peninsula had a lower death toll as well. The Transvaal and Natal areas saw literally hundreds of incidents scattered across a wider geographical base outside the cities. This was undoubtedly due to their geographical proximity to borders with other countries through which MK members were able to infiltrate into the country. By contrast, the urban Peninsula remained the chief site of MK actions in the Western Cape as a whole throughout the 1980s.<sup>389</sup>

Cape Town also did not see the sharp shift to civilian casualties that other regions experienced through, for example, the bombing of restaurants such as the Magoos Bar attack in Durban, or the Wimpy Bar series of attacks in 1988. Nevertheless, MK attacks in the Peninsula from 1985 to 1989 were divided between targets chosen for symbolic value in which human injury or loss of life was unintended and those in which human beings were the target. The hand grenade attacks on the private homes of those deemed 'collaborators' cannot really be considered as 'hard targets', as shown by the death of Rashaad Witten in Mitchells Plain in 1985. However, in this they were not out of line with the wider national picture of MK target.

### **State Reprisals**

The central mechanism used to crush military actions by the liberation movements in the greater Cape Town area was the use of detentions, torture and trials. However, there are instances of extra-judicial killings and entrapment operations. Even a Vlakplass cross-border raid into Lesotho can be identified as a reprisal action against MK operatives active in Cape Town. It cannot be said however that these latter types of responses happened in a majority of cases.

Certain of the MK operatives believed by the state to have been responsible for the surge of handgrenade attacks in 1985 in Cape Town were killed by security forces in the Lesotho Raid on

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<sup>388</sup> *The Argus* 24 July 1989 and 27 July 1989.

<sup>389</sup> It would only be from 1987 that a couple of armed actions took place in surrounding rural Boland towns. Thus, to refer to MK actions in the Western Cape is really to speak only of the greater Cape Town area.

19 December 1985. Joseph Monwabisi 'Themba' Mayoli, Leon 'Joe' Meyer and Vivian Stanley Matthee who had been active in Cape Town were among nine people shot dead in raids conducted by members of Vlakplaas in Maseru.<sup>390</sup>

The Western Cape Security Branch was the key security force organ involved in taking action against MK operatives at local level. It was headed from 1985 to 1988 by Brigadier SJ Strydom. From 1989, Major General Griebenaauw took over as the head.<sup>391</sup> Other police units were drawn upon for particular purposes. In operations involving arrests, members of the Riot Unit were frequently involved. Vlakplaas operatives (particularly WR Bellingan) and askaris were brought in to Cape Town for specific operations involving infiltration, penetration and identification.<sup>392</sup> Certain askaris were frequently used in the Cape Town area, including Lucky Madubela, David Musimeke, Stan Gwiji and others.<sup>393</sup>

### **Detention, Torture and Trials**

While organisational activists aligned to the UDF were generally detained under the State of Emergency, MK operatives or individuals suspected of MK involvement were almost always detained under the more severe Section 29 of the Internal Security Act. The physical and psychological torture of Section 29 detainees was extensive, and the key perpetrators were members of the security branch. The same perpetrator names and modus operandi recur constantly in statements regarding torture made during trials and in court interdicts, and more recently to the TRC.

Captain Frans Mostert acquired notoriety in the region for his methods of intimidation, assault, and particularly sexual threats directed at female detainees, particularly in the period 1985 to 1987 until his transfer from Cape Town. Former detainees June Esau, Zubeida Jaffer, Shahieda Issel, Jenny Schreiner<sup>394</sup> and Aadielah Maker<sup>395</sup> have all described similar experiences at his

<sup>390</sup> TRC Report, Volume 2, Chapter 2, page 109.

<sup>391</sup> Both Strydom and Griebenaauw had served in the security police in Namibia. See the evidence of Major General Griebenaauw at the amnesty hearing of Jeffrey Benzien (AM5314/97), held on 14 – 16 July 1997 and 20 – 22 October 1997 in Cape Town.

<sup>392</sup> Evidence presented at the amnesty hearing of WR Bellingan (AM5283/97), TJ Mbelo (AM3785/96) and XF Mbane (AM8066/97) in Cape Town, 17 – 19 November 1997 and 3 – 5 February 1998 regarding the killing of the Guguletu Seven.

<sup>393</sup> Evidence of Patrick Siyali (AM7997/97) at his amnesty hearing, 21 October 1999, Cape Town.

<sup>394</sup> Cape Times 3 November 1990.

<sup>395</sup> Cape Times 20 February 1991.



hands.<sup>396</sup> These included: making sexual advances or threats of a sexual nature; saying he had previously broken women or their resistance. Violence towards the women included hair pulling and/or twisting, hitting them from behind on their necks or shoulders and/or partly suffocating them with his hands or a scarf, and/or prodding or bashing their faces with his hands and fingers and/or standing with his full weight on their feet, holding a burning cigarette or match close to their eyes and/or faces and/or hair. Mostert was also used as a ‘threat’ by other security police personnel.

From 1986, torture of Section 29 detainees appears to be most strongly associated with certain members of the Terrorism Tracing Unit (also known as the Terrorism Tracking Unit, Terrorism Detection Unit or Anti-Terrorism unit).<sup>397</sup> This was a specialist unit within the Security Police established around late 1985 or early 1986 and was stationed at Culemborg. This Unit was set up as a response to the dramatic increase in levels of MK attacks in the Peninsula. As commander of the unit, Lt (later Superintendent) WR Liebenberg reported to Major Smit (later Lt Col, now Commissioner) who was in charge of the Terrorism section. Major Smit would authorise Section 29 detentions. Smit was responsible to Brig Strydom, who in turn reported the SAP National Commissioner via the Provincial Commissioner and Security Branch Headquarters in Pretoria.

The Unit as an investigating team appears to have had around five or six members consisting of Lt Liebenberg, Major Andre du Toit, Warrant Officer JL Nel, Warrant Officer Jeffrey Benzien, Sergeant JP van Zyl and Sergeant Kotze. Some change of membership occurred over time but Liebenberg, Benzien and Nel remained throughout. Constable Goosen later joined the unit. Sgt Nortje was not a regular member of the Unit but did participate in its work from time to time. Most of its members were named as active or ‘passive’ participants in torture. Black SAP members associated with the unit were Constable Patrick Siyali and Sergeant Mathunzi.

The function of the unit was the “expeditious tracing and arrest of terrorists, collection of information and intelligence and the confiscating of weapons and arrest of hangers on”.<sup>398</sup> The Terrorism

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<sup>396</sup> Trade unionist June Esau was detained in Observatory, Cape Town under the State of Emergency on 25 October 1985. On 17 November she was taken to Caledon Square police station and tortured for 12 hours by named Security Branch members after which she was hospitalised. She thereafter successfully applied for a court interdict against the perpetrators. *Focus* newsletter No. 63, March – April 1986, page 4.

<sup>397</sup> Evidence regarding the membership and nature of this unit was led at the Benzien amnesty hearing by Benzien himself and WR Liebenberg.

<sup>398</sup> Amnesty hearing of Jeffrey Benzien.

Tracking Unit had a five year life span and was reportedly disbanded after the unbanning of organisations in 1990.

From time to time the unit would draw upon the expertise of Vlakplaas operatives (explain Vlakplaas) with Lieutenant Liebenberg acting as liaison with the Security Police Headquarters in Pretoria. Sergeant Bellingan from Vlakplaas was the Field Commander for the askaris brought down to the Cape for the purposes of operations or identifications.<sup>399</sup> In at least one instance, askaris from the Eastern Cape were brought in and killed a MK member in March 1990.

Amnesty applications concerning torture in the Western Cape were only received from Benzien, who received a supporting statement from Griebenauw, and Liebenberg. Patrick Siyali applied for and was refused amnesty for the shooting of MK operative Bongani Jonas, described below.

In the latter half of the 1980s Jeffrey Benzien became known as one of Cape Town's principal torturers. Until 1986 Benzien was a detective at Murder and Robbery unit based at Bishop Lavis police station. He then joined the security branch and within one year was incorporated into the Terrorism Tracking Unit. During his amnesty hearing, he admitted to several acts of torture against Peter Jacobs, Ashley Forbes, Anwar Dramat, Tony Yengeni, Gary Kruse, Niclo Pedro and Allan Mamba, and stated that this was done with the knowledge of his superior officer, Lt Liebenberg.<sup>400</sup> Liebenberg similarly applied for amnesty for these acts.<sup>401</sup>

His admissions were contested by those he had tortured and others whom he denied torturing. They argued that Benzien only admitted a very limited range of torture which did not reflect the full extent and range of the abuses he had perpetrated upon them and others. Further, they argued that he was the 'fall guy' for the entire group of torturers and that he continued to protect them by denying their presence or participation in acts of torture and abuse. Forms of torture either admitted by Benzien or alleged by detainees included suffocation through the wet bag methods, the application of electric shocks on various parts of the body including the genitals, hanging out of windows, severe and protracted assault, and suspension.

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<sup>399</sup> Information from the Investigation Unit's report on the Guguletu Seven killings.

<sup>400</sup> Benzien received a certificate and a medal from the South African Police in June 1989 for his service in the combatting and tracing of terrorists. He stated at his amnesty hearing that "this confirms my believe that my seniors condoned my acts".

<sup>401</sup> Amnesty application of WR Liebenberg (AM6369/97).

In a moment of high drama during his TRC amnesty hearing on 21 October 1997, Benzien physically demonstrated the wet bag method on a volunteer. One of his torture victims, Tony Yengeni, questioned him about the method:

BENZIEN: *It was a cloth bag that would be submerged in water to get it completely wet. And then the way I applied it, was I get the person to lie down on the ground on his stomach normally on a mat or something similar with that person's hands handcuffed behind his back. Then I would take up a position in the small of the person's back, put my feet through between his arms to maintain my balance and then pull the bag over the person's head and twist it closed around the neck in that way, cutting off the air supply to the person.*

CHAIRPERSON: *What happens to the person why he is being choked? Can you describe?*

BENZIEN: *There would be movement, there would be head movement, distress, all the time there would be questions being asked to you want to speak, and as soon as an indication was given that this person wanted to speak, the air would be allowed back to his person to say what he wanted to say.*

MR YENGENI: *Would the person groan, moan, cry, scream? What would the person do?*

MR BENZIEN: *Yes, the person would moan, cry, although muffled, yes, it does happen.*

MR YENGENI: *And you did this to each and every one of us?*

MR BENZIEN: *To the majority of you, yes.*

MR YENGENI: *But where there any, was there any physical condition that would make you to release the bag on the part of the person who is tortured?*

MR BENZIEN: *On occasions people have I presume, and I say presume, lost consciousness, they would go slack and every time that was done, I would release the bag."*

General Major JL Griebenaaw submitted a statement in support of the amnesty applications of Benzien in which he admitted knowledge about acts of torture at the hands of the security branch and stated that such acts and knowledge were widespread. He told the TRC's Amnesty Committee that:

*"During my term in office in Cape Town, extreme pressure was placed by the Joint Security Management System on the security branch, in particular to stem the tide of murder and violence. And obviously I gave members under my command instructions to do everything in their power to apprehend people who were guilty of these things and to extract as much information as possible from the detainees so that the entire network operative in the country could be disrupted in time to prevent further loss of life.*

*..... I never gave any member an instruction to place a wet bag over anybody's head or to torture them in any other way. I was however very much aware of the fact that members' success could be ascribed to the use of unconventional questioning or interrogation methods. It would have been naive of me to believe that they would extract information in any other way from a well trained terrorist and to do so quite quickly.*

*Anybody who in any way had responsibility in respect of a Section 29 detainee and of whom it is here alleged that he was assaulted or tortured in any other way, must have been aware or must*

*have suspected that unconventional interrogation methods were being used. And their silence in this regard can be interpreted as at least a condonation of it, if not approval.*

*..... this all led to the fact that the people in the so-called "engine room" did not have direct - didn't need direct instructions to commit certain wrongful acts but they had a bona fide belief that that was virtually the only criterion. I have no doubt that if these members believed that they could rely on the protection of their seniors and politicians and if this was not the case, these specific acts would never have been committed.*

*To say now that a specific person gave a command that an illegal action had to be committed, it's very unlikely. What did happen was that over a period of time, a situation existed which people accepted as a result of pressure which was exerted upon them by the State Security Council, by the National Security Council in which the police had a say. They were simply told that: "You will get the answer and you will stem the tide". And that they will use their own methods and it was accepted and the people looked away and this - the people accepted that what we did was correct.*

MR DONAN: *So, just to repeat, the torturer could - or the interrogator could use any torture method he felt inclined to use?*

MR GRIEBENAUW: *That's what it amounted to.*<sup>402</sup>

Major-General Griebenausw did not disclose acts of torture conducted by himself. However, Griebenausw has been implicated in torture directly and he was one of the most feared and notorious security policemen in the region. During 1985, section 29 detainee Ntozelizwe Thomas Talakumeni was tortured by Griebenausw, described below.

Without exception, all allegations of torture made by detainees were denied by members of the security police in court. Magistrates and judges almost never accepted the word of the detainee over the word of the security police, and thus in virtually no instances were the allegations of torture accepted by the court. Major-General Griebenausw also spoke on this issue during the amnesty hearing of Benzien:

"MR DONAN: *.....part of the process was then going to court and lying.*

MR GRIEBENAUW: *That would have been the necessary consequence, yes.*

MR DONAN: *And were you aware that the people under your command were lying about torture in courts of this land?*

MR GRIEBENAUW: *Yes, indeed.*

MR DONAN: *So there was this systematic process right throughout South Africa, firstly to torture detainees and then secondly to put them through a court process and to lie about the ...[inaudible] of their statement.*

MR GRIEBENAUW: *There was no laid down procedure but that was customary, yes.*<sup>403</sup>

<sup>402</sup> Evidence of Major General JL Griebenausw at the amnesty hearing of J. Benzien, Cape Town, 20 - 21 October 1997.

Benzi confirmed this at the same hearing:

“MR BENZIEN: *It was a known fact, under certain circumstances you had to lie, and under those circumstances when it was my testimony that could put a bad light on the Security Branch, I lied. It was an accepted method.”*

In addition to the physical torture suffered by Section 29 detainees, many suffered serious psychological torture. Section 29 detainees were almost without exception kept in solitary confinement for six months or longer. It was not unusual for Section 29 detention to be extended into a second 180 day period. There were several suicide attempts by Section 29 detainees including Ashley Forbes<sup>404</sup> and Jenny Schreiner. In addition, several detainees were admitted to hospital suffering from acute anxiety or depression, including Lumka Nyamza, Pina Ncata, and Ncunyiswa Hans.<sup>405</sup> Others were hospitalised or treated after their detention, and still today experience the effects of their experiences. In the words of another former Section 29 detainee Zahrah Narkedien (formerly Greta Apelgren) to the TRC: “I’m out of prison now for more than seven or ten years but I haven’t recovered and I will never recover ... I have tried to and the more I struggle to be normal, the more disturbed I become. I had to accept that I was damaged, a part of my soul was eaten away as if by maggots ... and I will never get it back again.”<sup>406</sup>

There were a series of ‘waves’ of detentions under Section 29 of clusters of persons suspected of military involvement in the period 1985 to 1989, as well as ongoing detentions of individuals.<sup>407</sup> In the same period, a series of major terrorism trials in the Western Cape unfolded, based largely on confessions of the detainees. Allegations of torture to extract confessions were made at virtually all the trials by the accused. In most instances, a trial-within-a-trial was held to determine the validity of the confession. Without exception, the security police denied the torture and the detainees’ confessions were held as admissible by the judges.

During the 1985 surge of MK hand grenade attacks, a cluster of activists from mainly Guguletu and Nyanga were detained in June and interrogated regarding assistance provided to MK operatives. The detainees included Zou Kota, Titus Selepe, Miranda Qanyashe,<sup>408</sup> Baba

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<sup>403</sup> Evidence of Griebenauw, amnesty hearing of J. Benzi.

<sup>404</sup> Evidence of Ashley Forbes at the amnesty hearing of J. Benzi.

<sup>405</sup> TRC statement CT00886/HEL.

<sup>406</sup> Testimony of Zahrah Narkedien, 21 July 1997, special TRC prisons hearing, Johannesburg.

<sup>407</sup> During August and September 1985 prior to the extension of the State of Emergency to the Western Cape, certain UDF leadership figures were detained under Section 29 (such as Roseberry Sonto), but thereafter UDF supporters tend to have been detained under the Emergency regulations.

<sup>408</sup> Kota and Qwanyashe left South Africa thereafter to go into exile.

Ngcokoto, Charles Mahlale, Nicolas Talakumeni, Ntozelizwe Thomas Talakumeni, Clifford Ntemetya, Justice Mshudulu, and Caroline Mayoli. Some were tortured.

Ntozelizwe Thomas Talakumeni stated in his court case that Colonel Griebenaaw of the Security Branch took him to the sixth floor of the Paarl police building where he was made to climb through a window on to the roof. He claimed Colonel Griebenaaw then asked if he had any message for his family and girlfriend because this was the last time he would see Paarl. Then Colonel Griebenaaw and a Warrant Officer Nel lifted him over the parapet and, holding his feet, let him hang upside down. This happened four times. He also alleged that a gun was held at his head during an interrogation. In the court case, Griebenaaw stated that there was no truth in Talakumeni's complaints.<sup>409</sup> The magistrate dismissed Talakumeni's charges of torture and found his statement made after the torture admissible. Talakumeni was sentenced to an effective three years imprisonment for assisting MK operative Themba Mayoli and another MK operative known as Glenville Peters.<sup>410</sup>

During April, May and June 1986, another cluster of MK operatives trained in exile as well as local MK members were detained. At least fifty persons were detained under Section 29 around this period. A group of 15 were later to be charged with terrorism and related charges in the trial of the State versus Lizo Ngqungwana and fourteen others.<sup>411</sup> A number of allegations of torture and assault on MK members were dealt with at this trial.<sup>412</sup> Sazi Veldtman was assaulted and subsequently underwent an operation on his eardrum. Quinton Michaels was tortured by having a tyre inner tube placed over his nose and mouth and water thrown over his head. He was subsequently given electric shocks through a wire tied to his toe. Lizo Ngqungwana was strangled with a belt, kicked and hit with a gun butt. During the trial, Lt Liebenberg denied all allegations of torture. Despite the district surgeon's report which listed complaints of assault by

<sup>409</sup> The Argus, 23 April 1986.

<sup>410</sup> Focus newsletter, No 60, September – October 1985, page 3; Focus No 63, March – April 1986, page 7, Focus No 65, July – August 1986, page 10, Focus No 66, September – October 1986, pages 4 and 8. In the newsletter he also implicates Warrant Officer S van der Merwe in his torture.

<sup>411</sup> *State vs Lizo Ngqungwana and 14 others*, Case No. 86/87, Cape Town Supreme Court. The trialists were Lizo Bright Ngqungwana (26), Thembinkosi Mzukwa (26), Joseph Ngoma (28), Temba Tshibika (38), Sazi Veldtman (32), Mthetho Myama (35), Joseph Mkhuhlwa (31), Anderson Ncivata (34), Reed Macozoma (26), Quinton Michaels (24), Neville van der Rheede (26), Gladwin Mabengeza (36), Cyril Ntabeni (36), Cecil Esau (35) and Norman Macanda (29). Two were acquitted.

<sup>412</sup> See for example Cape Times 24 April 1987.

the accused and noted observable injuries, their confessions were accepted by the court and the trialists were sentenced to prison terms ranging from 3 years to life imprisonment.<sup>413</sup>

A second series of arrests and Section 29 detentions in the second half of 1986 netted numerous external MK operatives and internally trained MK members resulting in the another two marathon terrorism trials.

The trial of the State versus Ashley Forbes and fourteen others<sup>414</sup> ran between 1987 and 1988. During the court case, all allegations of assault or torture of the accused were denied by the security police. Ashley Forbes reported that he was arrested on 16 April 1986. The wet bag method was applied to him while he was naked, a metal rod was inserted in his anus and he was electrically shocked. He was also further assaulted, hit on the head and eyes, choked and his head hit against the wall until he lost consciousness. His eardrum was broken and his nostrils were pulled until they bled, he was choked and his head was hit against wall until he lost consciousness. Several former political prisoners convicted during this trial participated in the amnesty hearings of Benzien and Liebenberg during which they described aspects of their torture. Forbes asserted that he was assaulted or threatened on the 16<sup>th</sup> of each month at least three times. As a result he tried to commit suicide during third month, just before 16 July 1987. Whilst recovering in hospital, Forbes alleged that Benzien brought the black bag into his hospital room and threatened him with it. Benzien denied this last allegation at the hearing. Niklo Pedro and Peter Jacobs were also subjected to the wet bag method. Pedro was also hung from the window burglar bars and assaulted. Jacobs stated that Lt Willem Smit (now assistant commissioner Smit) was present when he was 'wet bagged'. Fourteen of the accused were given sentences ranging from a suspended sentence to fifteen years. Pandy was acquitted.

The third large cluster trial was that of the State versus Tony Sithembiso Yengeni and thirteen others.<sup>415</sup> Two of the accused were shot on arrest and then tortured prior to receiving any medical

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<sup>413</sup> *Focus* newsletter, No 72, September – October 1987, page 6

<sup>414</sup> *State vs Ashley Forbes and 14 others*, Case No. 61/88, Cape Town Supreme Court. The trialists were Ashley Forbes (22), Peter Jacobs (22), Niklo Pedro (20), Nazeem Lowe (23), Anwar Dramat (19), Clement Baadjies (19), David Fortuin (22), Jeremy Veary (25), Walter Rhooode (24), Wayne Malgas (21), Colin Cairncross (23), Ashraf Kariem (21), Colin Petersen (23), Leon Scott (29) and Yasmina Pandy (21).

<sup>415</sup> The accused were Tony Sithembiso Yengeni, Jennifer Schreiner, Lumka Nyamza, Mthetheleli Titana, Colleen Lombard, Soraya Abass, Gertrude Fester, Michael Mzimkhulu Lumbambo, Mbutu Richmond Nduku, Wellington Mongameeli Nkwandla, Christopher Giffard, Gary Kruser, Charles Mohale, Alpheus Ndude. Bongani Jonas refused to testify as a state witness.

treatment. Bongani Jonas was shot in the legs by askari David Musimeke with Constable Patrick Siyali<sup>416</sup> on his arrest in September 1987. Lieutenant Liebenberg was in charge of the operation. Both Jonas's femurs were shattered and he was bleeding profusely. En route to the security branch offices at Culemborg, W/O Barnard of the Riot Unit sat on his injured legs. Once at Culemborg the askaris held his hands while Benzien jumped on his leg. Medical attention was withheld from him until he agreed to co-operate with the police and take them to an arms cache in Khayelitsha. He was unable to walk, was carried in a blanket and his legs were violently thrown around. He was finally taken to hospital at least six hours after being shot.

Similarly, trialist Mthetheleli Titana was shot four times during his arrest. His injured leg was twisted and wrung repeatedly. "W/O Nel grabbed Titana's leg and wrung it around like an old car's starter sling. W/O Nel made the noise like a starting car".<sup>417</sup> Like Jonas, he was forced to take police in search of arms caches before being given medical treatment.

Fellow trialist Tony Yengeni was arrested and taken to Culemborg where he was assaulted by Benzien, Liebenberg and others. He was then subjected to the wet bag method in the company of Liebenberg, WR Bellingan of Vlakplaas, Goosen and Nel. Gary Kruser was arrested on 21 September 1987. He was assaulted on the trip to Culemborg by Benzien with Goosen and Liebenberg. He was handcuffed to the burglar bars in an office with his feet dangling in the air causing his wrists to bleed, and was punched in the stomach. The wet bag was also used on Kruser. This was conceded by Benzien in his amnesty hearing.

Interspersed with these large cluster trials were numerous smaller trials. Mxolisi Edward Petane was charged and convicted regarding the unexploded bomb in the parking lot of a shopping centre. His application in court to be declared a prisoner of war was denied.<sup>418</sup> During his trial he testified that he was kept naked except for his underwear. He was kicked and punched in the eyes, his head was bashed against the floor, and his neck was stood on. He was later punched again in the ribs later and kept blinded with a balaclava.

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<sup>416</sup> Patrick Siyali applied for and was refused amnesty for participating in the shooting of Bongani Jonas (AM7997/97).

<sup>417</sup> *Grassroots* May 1989.

<sup>418</sup> *Focus*, Volume 75, March – April 1988, page 6.



Allen Ndodomzi Mamba (36) was sentenced in May 1989 to an effective 18 years for murder and terrorism.<sup>419</sup> In his amnesty application, Benzien admitted assaulting Mamba and applying the wet bag method. Robert Nana Maliti, 22, was arrested in Crossroads in October 1988 while allegedly in possession of a limpet mine near a ceremony involving the Minister of Law and Order. Whilst in custody he was assaulted so severely by inter alia Jeffrey Benzien that he suffered a brain haemorrhage and serious frontal lobe damage and had to undergo emergency brain surgery.<sup>420</sup> He was later sentenced to five years imprisonment. Maliti remains permanently physically and mentally disabled from the assault.<sup>421</sup>

The accused in these trials were convicted of very many of the armed attacks of 1986 and 1987. Notably, however, no one was charged for the killing of the Langa community councillor Nozico Siboto, Constable G Labuschagne, Constable SH Hudson and Constable G Gwazekhaya. Nor were there amnesty applications to the TRC for any of these killings. It is assumed that no one was charged for the death of Rashaad Witten because of the deaths of the relevant Western Cape MK commanders in the December 1985 Lesotho raid, described below.

It is also notable that no one was ever charged for the armed attacks of 1988 and 1989, many of which would have been carried out by the Ashley Kriel Unit described earlier.<sup>422</sup> A key member of that unit, Anton Fransch was however killed in a protracted shootout with police in November 1989 (described below).

There were also numerous trials of persons charged with lesser offences. For example, Mbuyiselo Samuel Hans (28), Zandisile Mayile (29) and Sekelezile Pindani (33) were convicted of failing to report the presence of a trained guerilla known as Lungile and were sentenced to an effective one year's imprisonment.<sup>423</sup> Xolile Justice Dyabooi, Monwabisi Maqhoqhi and Malungisi Khumalo were sentenced to six or seven years for trying to leave the country. A fellow accused Mary Ngemntu was given an effective one year sentence in January 1989.<sup>424</sup> Farieda Khan (28) served

<sup>419</sup> Mamba allegedly operated with one Kenneth Moyake who is reported to have died. It could not be established whether Moyake was the same person as Solly Matsi. *Focus*, No 83, July – August 1989, page 7.

<sup>420</sup> *The Argus* 24 October 1988 and 26 October 1988.

<sup>421</sup> TRC statement CT00133/FLA, Robert Nana Maliti.

<sup>422</sup> Newspaper reports in the latter half of 1988 constantly obliquely refer to Aneez Salie and Shirley Gunn as the responsible MK operatives for the explosive attacks in that period.

<sup>423</sup> *Focus* No. 72, page 6.

<sup>424</sup> *Focus* No. 82, page 6.

a six month sentence for membership of the ANC.<sup>425</sup> Mziwoxolo Mfeketho was sentenced to a prison term for transporting a group of activists to Botswana for training.<sup>426</sup> Wiseman Ndomomzi Mdladlana (25) of Guguletu sentenced to effective 5 years for possession of 2 hand grenades found on him when detained in April 1986.<sup>427</sup>

In all, well over hundred persons were charged with terrorism-related matters and possibly nearly double that number faced periods of Section 29 detentions. For many, torture was a feature of their detentions. All faced months of solitary confinement under Section 29. Physical and psychological torture was thus an overwhelming feature of state repression of persons suspected of any level of military involvement. All evidence therefore points to the fact that Benzien's amnesty application was simply the tip of the iceberg regarding torture in Cape Town. A much wider range of individual members of the Security police are implicated in these and other reports of torture, none of whom applied for amnesty.

### **Killing Of MK operatives**

In the period between 1985 and 1989, there is evidence that suggests several MK operatives were the victims of extra-judicial killings by the security forces. The circumstances of such deaths in some respects match or mimic other such covert killings elsewhere in the country. Due to the absence of any alternative version or any witnesses, it is not always possible to establish wrongdoing on the part of the police with any certainty, but a number of factors provide sufficient questions to cast serious doubt upon the official version of their deaths.

The TRC defined four areas of covert killings of liberation movement operatives enacted by the state. These included targeted killings of identified persons, killing of detainees after abduction or arrest and interrogation, ambushes and entrapment killings.<sup>428</sup> Examples of the latter three types of killings can be found in the Cape Peninsula.

At least fourteen MK operatives were killed in the Western Cape between 1986 and early 1990, being the Guguletu Seven, Norman Pietersen, Zola Dubeni, Ashley Kriel, Mthetheleli Gcina, Nkululeko 'Solly' Matsi, Anton Fransch and Samuel Mzuga Baloi. This figure includes the

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<sup>425</sup> Focus No. 78, page 9.

<sup>426</sup> Focus No. 85, page 6.

<sup>427</sup> Focus No. 68, page 6.

<sup>428</sup> TRC Report, Volume 2, Chapter 3, paragraph 228.

Guguletu Seven who were not technically all MK operatives but who are included here on the basis of their preparedness to engage in military action. In addition, two internally trained MK operatives Coline Williams and Robert Waterwitch died when a limpet mine exploded beside them in Athlone in July 1989 in circumstances regarded as suspicious.

In brief, the alleged circumstances of their deaths were as follows. Two (Norman Pietersen on 14 March 1987 and Ashley Kriel on 9 July 1987) were shot dead by police while allegedly resisting arrest. Two (Zola Dubeni on 15 March 1987 and Welile 'Deks' Dakuse on 23 January 1989) were shot dead allegedly while trying to detonate a grenade at a small arms cache. Two (Solly Matsi on 5 July 1988 and Anton Frar.sch on 15 November 1989) engaged in shootouts with security forces while resisting arrest and allegedly committed suicide with the last of their weaponry. Mthetheleli Gcina was shot dead by two askaris on 27 September 1988. The Guguletu Seven were shot dead while allegedly launching an attack on police. Two internally trained MK operatives Coline Williams and Robert Waterwitch died when a limpet mine exploded beside them in Athlone in July 1989, apparently while they were arming it.

The security forces were absolved of responsibility for all of these deaths in the inquests. However, there is evidence that some of these deaths may have been executions or eliminations, some of which involved the planting of weapons after death to justify the killings. The revelations regarding the facts of the killing of the Guguletu Seven provide a sharp illustration of the degree of concealment involved in such cases. Evidence presented to the TRC and admissions made in amnesty applications by members of the Security Branch in other regions regarding killings of MK combatants and political suspects strengthens this perspective. A closer look at the above Cape Town killings is thus required.

The cases presented here offer insights into the nature of security force actions towards this category of persons. They are the killing of the Guguletu Seven, Zola Michael Dubeni and Samuel Zuka Baloi. They provide a window into the operations of the security forces and provide a reasonable basis to question the official versions of the other deaths that follow.

- **The 'Guguletu Seven'**

On the morning of 3<sup>rd</sup> March 1986, seven young men were shot dead by a team of security force members in Guguletu. Those killed were Mandla Simon Mxinwa, Zanisile Zenith Mjobo, Zola

Alfred Swelani, Godfrey Jabulani M'ya, Christopher Piet, Themba Mlifi, and Zabonke John Konile.<sup>429</sup> They all sustained numerous gunshot wounds to their bodies and all seven were shot in the head. The key police personnel involved on the scene of the shooting were members of the Riot Unit and the Security Police.<sup>430</sup>

Two inquests found that the seven had died during a 'legitimate anti-terrorist operation' conducted by the police. However, an extensive investigation by the TRC into the killings revealed a quite different sequence of events. The investigation indicated that the seven were recruited by the security police, trained and set up in ambush and killed by security forces. The investigation revealed an extensive cover up by the security forces involved in this incident, including at parliamentary level.

Three persons applied for amnesty for the incident. Sergeant WR Bellingan (AM5283/97) and Constable TJ Mbelo from Vlakplaas applied for amnesty for the killings, along with askari XF 'Jimmy' Mbane (AM8066/97). The operation had its roots in the increase in MK actions in the region in the second half of 1985. The early months of 1986 also saw a number of sniper attacks on police in the informal settlements of Cape Town. As a result, the Western Cape security police requested assistance from Vlakplaas. Vlakplaas personnel including several askaris were sent to Cape Town.

The operation involved sending in several askaris to infiltrate a militant group in the informal settlements. The askaris posed as MK commanders with weapons which were supplied by the security police. A number of young men were given military training and an operation planned. This involved the new 'MK recruits' attacking a police bus in Guguletu early one morning.

The site of the planned attack on NY 1 was saturated with concealed security force personnel. When the attack commenced, the security forces opened fire and chased each of the seven young men, killing them at very close range. A witness described the shooting of one of the seven who had his hands up in surrender. Forensic evidence revealed point blank shooting injuries. The two

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<sup>429</sup> TRC statements CT00700 (Mxinwa), CT00116 (Mjobo), CT00818 (Miya), CT00100/FLA (Piet), CT00108 and CT03054 (Konile) have reference.

<sup>430</sup> Information from TRC Investigation Unit report into the Guguletu Seven case.

askaris who formed part of the group escaped and were later given cash rewards of one thousand rands for each of the dead.<sup>431</sup>

The Commission found in conclusion that the Guguletu Seven were recruited and trained by operatives from Vlakplaas. They were coached into an operation whereupon they were eliminated. No effort was made at any stage prior to or during the operation to effect any arrests.

- **Zola Michael 'Jabulani' Dubeni**

Zola 'Jabulani' Dubeni<sup>432</sup> (28) was shot dead by members of the Security Branch on 14 March 1987. Dubeni went into exile and joined the ANC in 1980. During 1985 he was active in the Transkei MK military machinery and Lieutenant Liebenberg stated in the inquest that he was responsible for the explosion at the fuel depot in Umtata in 1985 and the shooting of an SAP member during a shootout at Engcobo. In early 1986 Dubeni relocated to the Western Cape.<sup>433</sup>

According to the inquest, he was arrested in Nyanga on 13 March 1987 by a team of Security Branch members including local personnel such as Warrant Officer Nel and Vlakplaas personnel such as Larry Hanton and WR Bellingan from Vlakplaas. Askaris were used in the arrest including David Matamele Musimeke. It is believed that a female askari Xolelwa Sosha may also have been involved. About one hour after his arrest, Dubeni apparently pointed out an AK47 and an F1 grenade at two places in Nyanga.

The following day he was taken for questioning at the Security Branch offices. During questioning he allegedly informed them that he had a certain contact point with another MK operative in Lansdowne Road. Bellingan and Nel placed leg irons and handcuffs on him and took him to the site. He then allegedly told them that he had an arms cache in the bushes at Faure outside Cape Town. It was decided that he should point this cache out. Warrant Officer PJ Theron as the explosives expert on standby was contacted and collected from the offices with his equipment. At 5pm the three together with Dubeni drove to Faure where they drove down a gravel road into the bushes to a certain site. Dubeni was instructed by Nel to take the spade and

<sup>431</sup> Evidence presented at the amnesty hearing of WR Bellingan (AM5283/97), TJ Mbelo (AM3785/96) and XF Mbane (AM8066/97) in Cape Town, 17 – 19 November 1997 and 3 – 5 February 1998 regarding the killing of the Guguletu Seven.

<sup>432</sup> TRC statement number EC2653/97/UTA.

dig until the material was reached, whereupon Theron would remove it. Dubeni walked to a slope about 5 metres away and started digging while still in handcuffs and leg irons, but then dropped the spade. He pulled out a plastic packet and apparently produced a grenade. Nel shouted to the others to take cover and fired one shot in his direction. Bellingan also opened fire with an Uzi. Dubeni was shot in the stomach and head and died on the scene.

The plastic packet, being the entire 'arms cache', was found to have contained a total of four grenades. Lt Liebenberg was called to the scene. Liebenberg states that he could not locate the duty officer for the Bellville District and so Lt Desmond Segal then took over investigation of the scene.

There are serious discrepancies in this version of events and strong indications that this was a fabricated story. It was established from MK sources that Dubeni had recently been disarmed by vigilantes in Khayelitsha and had been replenished with only an AK47 and an F1 grenade by a fellow operative. This is consistent with the weaponry pointed out by Dubeni on his arrest. Secondly, MK sources in charge of weaponry at the time in the region have vouched that there was no arms cache in Faure whatsoever.<sup>434</sup> The plastic packet, being the entire 'arms cache', was found to have contained a total of four grenades. It is improbable that an arms cache consisting of only four grenades would have been established at such a remote semi-rural site which apparently bordered the Van der Stel shooting range. Further, the same MK source was later told by a member of the security forces while in custody that Dubeni had been 'eliminated'.

Even the police's version of events indicates gross procedural violations in the handling of the events in the police's own version. According to the "Handleiding oor die Ondersoek van Terroristiesesake" booklet distributed to members of the security branch in the 1980s, an officer is supposed to be present at any pointing out actions.<sup>435</sup> No such officer was called to be present. Despite going to the trouble to call and fetch an explosives expert on standby, the photographer on standby was not called. Both Nel and Liebenberg state in the inquest that 'it was raining' and thus they decided not to call a photographer either before or after the shooting. This was a serious violation of procedure. The absence of a photographer meant that if they had wanted to charge

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<sup>433</sup> Information from Inquest No. 53/87, Kuils River magistrate court, held on 28 July 1987 by SJJ Jansen van Vuuren into the death of Michael Zola Dubeni. See also The Argus 16 March 1987.

<sup>434</sup> Interview, July 1988, former MK unit member.

<sup>435</sup> Information regarding proper procedure supplied by former security branch member Mike Barnardo, July 1998.

Dubeni, the pointing out of the arms cache would have been inadmissible in court and prosecution would have been declined by the state prosecutor. This suggests that there was no intention of bringing charges against Dubeni. Further, no photographs were taken even after the event. It is standard procedure that after a death in custody, photographs must be taken of the scene. There was no reconstruction of the scene afterwards.

The inquest itself does not include ballistics tests. The photographs of the arms allegedly in Dubeni's possession includes both the AK47 and F1 grenade, as well as the four grenades allegedly at the arms cache. The post-mortem report is cursory and without a detailed description of wounds. The description of wounds does not appear to match the photographs of Dubeni's wounds which appear to be at very close range, not consistent with the distance of five metres that Nel describes.

Further, MK operatives suspected of attacks on police personnel appear to have been targeted for summary execution. In his statement to the inquest, Lt Liebenberg stated that Dubeni was suspected of being involved in the shooting of a policeman in an incident in the Transkei.

- **Patrick Welile 'Deks' Dakuse**

Patrick Welile Dakuse (36) was shot dead by members of the Murder and Robbery Unit, Des Segal and Sgt Etsebeth, on January 23<sup>rd</sup> 1989, allegedly while showing them the site of a buried weapon in the bushes next to Khayelitsha. Dakuse was a well-known thorn in the flesh of the security forces in the Western Cape<sup>436</sup>. Affidavits given to an NGO in 1986 describe security force raids in KTC that sought him out. The TRC also has in its possession an affidavit made by Dakuse in 1986 regarding his torture and assault in 1986, three years prior to his killing.<sup>437</sup>

At the time of his death, police announced that he was allegedly a suspect in four murders. Although the police claimed that they charged Dakuse three days after his detention on 17 January, neither his family nor his lawyer were informed about his detention, where he was held, or of his forthcoming trial.<sup>438</sup> In the inquest only one murder is mentioned, that of Bazhine Hermaans on 9 October 1988 in New Crossroads. Dakuse had been detained for several days

<sup>436</sup> While he was primarily known as a UDF activist, it cannot be ruled out that he was also active in MK and thus his case is included here.

<sup>437</sup> Affidavits supplied by the Legal Education Action Project (LEAP) in Cape Town to the TRC.

<sup>438</sup> FOCUS, Number 82, May – June 1989, page 3.

prior to his death and a fellow detainee Arnold Qongo alleged that Dakuse had informed him that he had been severely tortured.<sup>439</sup>

At the inquest, Segal stated that after questioning, 'Zola Nzungu' (Dakuse) indicated that he would point out where his weapon was buried. Dakuse, with his hands cuffed in front of him, then allegedly directed them to a bushy area on the outskirts of Khayelitsha. The deceased then pointed out a site. Segal continued:

*"I ordered the deceased to dig the weapon out of the ground himself. The deceased sank to the ground and bent over and began digging with both hands. While the deceased dug, Sgt Etsebeth and I kept our weapons pointed at the deceased to prevent any possible unforeseen event. He dug for about 18 inches until he took a plastic bag with an object inside out of the hole and handed it to me. I put my weapon back in the holster and turned to the left away from the deceased and Sgt Etsebeth to take the revolver from the bag and to secure it. The next moment I heard Sgt Etsebeth shout "Watch out, handgrenade." I instinctively ducked and fell on the ground. At the same time I heard two shots go off and stood up, and I saw that the deceased was lying on the ground and that there was blood on his face. In my opinion the deceased was dead. Sgt Etsebeth reported to me that the deceased had a handgrenade in his hands and that he had fiddled with the detonator. I went through the plastic bag and took possession of a .38 Smith and Wesson revolver whose serial number was not visible. The scene was later visited by officers as well as explosives experts who took possession of a RGD 5 handgrenade."*<sup>440</sup>

The explosives expert was Warrant Officer PJ Theron of the Security Branch (similarly involved in the Dubeni case described above) who stated that

*"[a] handgrenade lay in the hole, lightly covered with sand, as when a person drops a stone in the sand. I gently uncovered it and identified it as a RGD handgrenade. I removed it from the hole and secured it. This grenade had all working parts and if the detonator had been removed, an explosion would have occurred. This handgrenade would have fatally wounded any person in the immediate surroundings, and it would have been fatal for any person closer than two meters."*

It is notable that Segal and Etsebeth were right beside Dakuse and he would presumably also have died if he had in fact attempted to detonate a grenade. Notably, there are no photographs in the inquest of the position of the handgrenade on the scene, which is merely photographed in an office environment in a plastic bag with a separated detonator. In addition, no cartridges were found on the scene, raising the question of whether Dakuse was even killed at that spot. Wynberg magistrate G Hoffman found that Dakuse was killed by police who were acting in self-defence.<sup>441</sup>

<sup>439</sup> Cape Times 10 February 1989

<sup>440</sup> Inquest Number 254/89/90, Wynberg Magistrate's Court held on 13 December 1989.

<sup>441</sup> The police officer involved, Desmond Segal, had also been the investigating officer in the Dubeni case and arrived on the scene of the Gcina killing. During the TRC process he was linked to the attempted smear of TRC Commissioner Dumisa Ntsebeza through forcing one Bennet



## Samuel Mzuga Baloi

The killing of Samuel Mzuga Baloi aka Vuyisile Baloyi (24) from Welkom also casts light on the practices used in the 'arrest' of MK operatives. Although in fact it takes place in the second month of 1990, it matches the 1980s modus operandi and is thus included here. On 22 February 1990 Baloyi was shot dead in Guguletu, allegedly while armed with a handgrenade. There had been several grenade attacks on community councillors during that month. The official version reported in the newspapers stated that "Policemen ... confronted the suspect in Guguletu about 11.45am yesterday. He was carrying an RGD-5 grenade of foreign origin. When he tried to flee, policemen fired, killing him."<sup>442</sup>

A disaffected SAP member in the Eastern Cape, Constable Bambatha, who had previously been in charge of a group of askaris, described this very incident quite differently in a statement to Minister Sydney Mufamadi in 1995. He stated that he was equipped by his senior commander with an attache case containing grenades and pistols with the instructions to plant these on MK persons if killed.

*"I recall an incident in Cape Town during late 1989 or early 1990 in Guguletu Township, when a male person was pointed out by the Askaris. After stopping the vehicle, I approached him and informed him that I was a police official whereupon he ran away. As a result of this, the Askaris jumped from the vehicle and chased the man whilst firing at him. Myself and Cst Koopman ... tried to stop them but they succeeded in fatally shooting the man. I then approached the body, discovering that he was dead as well as unarmed. I had the attache case with me and sent the Askaris back to the Kombi so that they could not see what I was doing. I then placed a F1 handgrenade in the dead man's pocket under the guise of trying to help him as members of the community were watching. This fact made it impossible to place the Makharov pistol next to him. I later also made a statement that I had discovered the F1 handgrenade on his person. After the incident, the then Capt de Lange complimented me on my actions and pertinently stated that it was better that the terrorists be killed to prevent their possible release."<sup>443</sup>*

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Sibaya to incriminate Ntsebeza in the Heidelberg Tavern APLA attack in 1993. Segal himself later died in unexplained circumstances. A few days after his resignation from the SAP in 1996, he was killed with another colleague in a motor vehicle accident on the N1 near Beaufort West. A large cache of weaponry was discovered in the vehicle, including RPG rocket launchers. It has not been established what he was doing with such weaponry.

<sup>442</sup> Cape Times 23 February 1990.

<sup>443</sup> Constable Bambatha made this statement to Minister of Police Sydney Mufamadi in 1995 in which he described his role in handling askaris in the Eastern Cape and in various human rights violations. Bambatha was shot dead shortly thereafter in suspicious circumstances. The statement was handed on to the TRC.

Later in his statement Bambatha identified askari 'Louis' and others as the killers.<sup>444</sup>

- **Mthetheleli Gcina**

Mthetheleli Gcina (26) was shot dead in Guguletu by askaris Lucky Madubula and David Musimeke. Their statements to the inquest allege that at 6am on 27 September 1988 they met with an informant who wished to point out a trained ANC 'terrorist' to them<sup>445</sup>. They then travelled in a kombi wearing civilian clothes. Shortly before 8am the informant pointed out an individual at the corner of NY 1 and NY 119 as the said ANC operative. The two askaris jumped out of the vehicle and approached him. Gcina allegedly had a plastic bag in his hand and produced a pistol. He then fired two shots while retreating. Both askaris returned fire and after running a short distance Gcina fell down. He was reportedly wounded on his left cheek and stomach but was still conscious. The askaris allegedly took possession of a Makarov from him. In an extraordinary co-incidence, Lt Des Segal arrived at the scene, after apparently hearing shots. Gcina was then taken to Woodstock hospital but was certified dead on arrival.

It does not appear as if any forensic tests were done to establish whether Gcina did in fact open fire on the two askaris. Considering the planting of weapons in the Baloi case (as well as numerous other cases reported to the TRC), this claim is suspect. It is worth noting that David Musimeke had non-fatally shot another MK operative Bongani Jonas a year earlier under similar circumstances. Further, the immediate presence of Lt Segal on the scene is simply too great a co-incidence to accept. The inquest found Gcina was shot dead in the course of normal legal police duties.

- **Killings in arrest situations**

The circumstances of the death of MK member Ashley Kriel have remained controversial.<sup>446</sup> He was shot dead by W/O Jeffrey Benzien in a house in Athlone from where Kriel operated as an

<sup>444</sup> TRC statement KZN/MP/01 regarding the death of Oupa "Blondie" Mashya has relevance. Mashya, from Thabong, Welkom, returned from exile in 1989 and became an askari. He was allegedly involved in the killing of an MK member in Guguletu and also carried out operations as an askari in East London and Bloemfontein. Mashya himself was allegedly killed by a policeman Tutubala from Venda, on instructions from Welkom SB members, Venter, Mogoregi, Rampai Mofokeng and "Ben" in August 1992. The policeman Ben, was acquitted on charges of murdering him. Mashya may thus be the askari known as Louis.

<sup>445</sup> Inquest 660/88/89, Wynberg Magistrates Court, held on 15 June 1989.

<sup>446</sup> TRC statements CT00307/HEL and CT00611/HEL.

underground MK member. Benzien asserted in his amnesty application to the TRC that he and his colleague, disguised as council workers, aimed to conduct reconnaissance only while other security force personnel waited nearby. A scuffle broke out during which Benzien shot Kriel with his own weapon in the back.<sup>447</sup> The inquest found no one responsible for the death. Despite applying for amnesty for the killing of Kriel, Benzien continued to maintain that the death was accidental. He was granted amnesty for the incident.

In the second case, members of the Riot Unit arrested MK operative Norman 'Billy Holiday' Peterson in his bedroom in New Crossroads on 11 March 1987.<sup>448</sup> In the inquest the police allege that while these Riot Unit members were searching the content of a bag of arms in the bedroom, Peterson pulled away from the policeman holding him. He allegedly tried to dive under the bed, grab an AK47 hidden there and shoot at the police. Two Riot unit members, Sergeant Carstens and Sergeant Haupt, attempted to pull him out from under the bed and the third member Sergeant Geiger shot him dead.<sup>449</sup> This took place in a small bedroom occupied by Peterson in the presence of at least three armed Riot Unit members. It is highly unlikely that Peterson would have embarked on such a course of action in the presence of at least three heavily armed SAP members. Extensive security force back-up was available outside surrounding the house.

Two MK members Nkululeko Matsi and Anton Fransch died in similar circumstances in shootouts with police while apparently resisting arrest, after their captured MK colleagues had identified the location of their residence to the police.

Matsi died on 5 July 1988 in Guguletu after a gun battle with police that lasted several hours. The inquest states that although he had been shot in the chest by the SAP, it was finally a self-inflicted bullet to the head that killed Matsi. This could not be verified or contradicted. A police document listing incidents of terrorism states that Matsi was shot dead by police.<sup>450</sup>

Anton Fransch died after gun battle with security forces lasting several hours throughout the night on 16/17 November 1989. Police had been led to the house after arresting a former MK operative

<sup>447</sup> Amnesty application of J Benzien, AM05314/97.

<sup>448</sup> TRC statement CT00440/WIN.

<sup>449</sup> Information from inquest 227/87/8, Wynberg Magistrate's Court, 29 September 1987. The Riot Unit members were colleagues of Constable G Labuschagne who had been killed in a handgrenade attack in January 1987, two months earlier.

<sup>450</sup> SAP Harms document Volume 10, 1 July 1988 – 31 December 1988, page 109. Guguletu MR 1986/07/88 has reference.

Mark 'Yazir' Henry. Henry had abandoned Fransch's MK unit on 8 May 1989 and was arrested six months later at his family home in Grassy Park on 16 November 1989. After police apparently threatened the lives of members of his family, Henry led police to Fransch's residence. After police finally penetrated the house, Fransch's body was found badly disfigured by a hand grenade explosion. Whether this was the result of a grenade thrown by the security forces or whether Fransch committed suicide with his final grenade has been an ongoing matter of speculation. The TRC was not able to resolve this question.<sup>451</sup>

In a final controversial case, two young MK members Coline Williams and Robert Waterwitch died behind the Athlone public toilets in a limpet mine explosion on 23 July 1989. This was one of four attacks that evening on buildings linked to the forthcoming controversial elections. Their actual target had been the Athlone magistrate's court opposite the toilets. The circumstances that led to their deaths have never been incontrovertibly established. Investigations by the TRC did establish that another MK unit operating at the time had been infiltrated by military intelligence who had tampered with weaponry belonging to that unit.<sup>452</sup> Further, there are well established cases in which the security forces tampered with MK weaponry elsewhere in the country, such as "Operation Zero Zero" in which young activists were given zero-timed grenades and sent to attack various targets, resulting in several deaths and mutilations. However, evidence of tampering could not be established in this case.<sup>453</sup>

Although MK operations and activities in Cape Town did not reach the scale of those evident in the former Transvaal and Natal/KwaZulu, individuals suspected of association with MK experienced the same treatment meted out to MK operatives in those and other regions. More than any other grouping, they were the target of covert and illegal forms of security force repression.

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<sup>451</sup> CT00302/FLA.

<sup>452</sup> This aspect is discussed in further detail in the TRC Report, Volume 3, Chapter 5, page 460.

<sup>453</sup> Information from TRC Investigation unit reports into the case. TRC statement CT00306/HEL.

Disturbing patterns emerge from the deaths of MK operatives in Cape Town involving certain security force personnel. It is questionable whether the versions presented by police at subsequent inquests accurately describe the events. Elements of the above killings match certain patterns found elsewhere in the country regarding the extra-judicial killings of political suspects. This pattern suggests that the arrest and capture of MK operatives in this period frequently saw summary executions. Frequently, weapons would be planted on the body to justify the killings.

While legal albeit draconian methods such as detentions under Section 29 of the Internal Security Act formed part of the state response to military resistance activities, use was also made of illegal covert methods to extract confessions and eliminate MK operatives. Those persons suspected by the security forces to be involved in the military underground of the liberation movements also experienced the most severe forms of detention and torture as well as on occasion extra-judicial execution either during or after arrest. Indeed, the number of MK operatives killed by the security forces in the greater Cape Town area is twice as high as the number of people killed by MK operatives in MK operations.



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## CHAPTER 5

### CONCLUSION

This study has sought to explore the shape and character of political resistance in Cape Town and its encounter with strategies of repression by the state. The period 1985 to 1989 in Cape Town is framed at both ends by incidents of police shooting of civilians, namely the killing of 18 people in Crossroads in February 1985, and the killing of around 23 people during the anti-election protests in September 1989. However, although public order policing was a significant and highly visible form of repression in Cape Town in this period, it was merely one of a panoply of measures adopted by the state to contain and crush the multiple forms of protest and resistance that swept through Cape Town.

The repressive measures adopted by the state were both legal and extra-legal, overt and covert. The security forces did not confine themselves to measures permitted by apartheid's security legislation. While these 'legal' measures would themselves be considered to be human rights violations by international human rights standards, even they were deemed to be inadequate by the security forces to crush the revolt. Extra-legal, or illegal, methods including torture, sabotage, extra-judicial executions, ambushes and the covert mobilisation of attacks on the UDF were a fundamental part of the fabric of repression in Cape Town.

Notably, the security forces did not confine extra-legal repression to members of the banned liberation movements but applied it across the board to civilian protesters as well. Street protests were met with fatal force although no killings on the scale of the 1985 Langa massacre in the Eastern Cape took place. Torture was applied to both military operatives and ordinary civilians. Further, state endorsement of violence by anti-UDF groups is a feature of Cape Town. Contramobilisation in Cape Town involved state support to and legal protection of groups who engaged in wholesale killings and arson attacks on entire communities.

Almost all of the forms of state repression and human rights violations that were identified by the TRC in this period can be found in Cape Town, whose experience is thus typical of the national picture of the period. These included public order policing, torture, extra-judicial killings,

contramobilisation, bannings and restrictions, deaths in custody, and the involvement of national covert squads such as the CCB and Vlakplaas. Notably, a particular coterie of personnel in the Riot Unit and Security Branch emerge as key perpetrators in state violence, again a feature common to other regions.<sup>454</sup> Interestingly, the Western Cape did not experience any treason trials of UDF officials, nor any judicial executions for political activities, forms of repression experienced in other regions.

Similarly, the essential forms and shapes of resistance and protest that characterised the national picture are also evident in Cape Town. Street and public protest and militant resistance by protesters reached a level not seen in several other regions, although the scale of attacks on 'collaborators' and practices such as necklacing appear to be somewhat lower than areas around Johannesburg and parts of the Eastern Cape. The UDF itself, while stricken by waves of detentions and restrictions, managed to sustain a presence in Cape Town and even mobilise large scale protest actions through the Defiance Campaign in 1989. Armed actions by MK in Cape Town, while unsurprisingly fewer in number than the Transvaal and Natal regions, remained at constant levels while proportionally tending to result in fewer casualties than elsewhere. Internecine conflicts were also a significant feature of Cape Town.<sup>455</sup>

The strategic directives of both state and resistance organisations played themselves out in Cape Town in ways that match the national pattern. Yet Cape Town is also marked by several unique features. These particular aspects emerge primarily out of its unique demographic makeup, with a Coloured majority and a fragmented African minority.

Firstly, Cape Town saw very high levels of Coloured militancy and active involvement in both protest and organisation. Although the fatalities in 1985 are predominantly in African townships, the revolt from August to December was equally based in the Coloured areas. While there were few Coloured fatalities in the period 1986 to 1988, high levels of political organisation remained a feature of these areas. The detainee population throughout the 1980s clearly indicates this. The UDF in Cape Town remained strongly made up of affiliate organisations based in Coloured areas.

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<sup>454</sup> In the absence of hard data for other regions, it is not possible to make conclusive comparisons. However, the picture of other regions provided in Volume 2 of the TRC Report does permit some comparative remarks.

The Bonteheuwel Military Wing (BMW), a semi-formal militant youth grouping that enacted a fairly sustained level of attacks on particular targets in the township of Bonteheuwel, serves as an indicator of the unique forms of political mobilisation evident in Cape Town. While particular to Bonteheuwel, it highlights the large numbers of Coloured youth who faced torture, public violence trials and concomitant prison sentences as a consequence of the scale of militant protest in Cape Town.

The underground structures of MK also show high levels of Coloured participation. This is visible in arrests as well as terrorism trials. Research also indicates less visible but equally high levels of MK membership. Indeed, five of the fourteen MK members who died in Cape Town were from Coloured townships.<sup>456</sup>

A second distinct marker in Cape Town lies in the high levels of violence associated with its numerous informal settlements whose residents, largely migrants, held a tenuous position in the urban areas. The extensive conflicts in these areas emerge out of the unique situation confronting Africans in the Western Cape, a minority population rigorously policed through pass laws and the application of the Coloured Labour Preference Policy. This placed extreme pressure upon migrants and squatter communities in their efforts to live and work in the city and sharpened the longstanding cleavages between legal township residents and migrants.

These circumstances provided the state with opportunities for co-option. The extreme violence associated with the witdoeke vigilante attacks in the 1986 period and the brutal control retained by their leaders over Crossroads and parts of Khayelitsha thereafter is the outcome of the state policy of contramobilisation. This approach sought to build a local opponent to the UDF, such as Inkatha in the Natal and KwaZulu region.

While vigilantism was a feature of the national political terrain, the 'witdoeke' were a uniquely Cape Town development. Although they shared features with other vigilante groupings nationwide, they did not develop the organisational frame that others did, such as the AmaAfrika

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<sup>455</sup> Cape Town did not experience the violent clashes between Azapo and the UDF that erupted in the 1985 and 1986 period mainly in and around Johannesburg townships and the Eastern Cape, although clashes did take place in Paarl, just beyond the borders of Cape Town.

<sup>456</sup> These were Ashley Kriel, Anton Fransch, Robbie Waterwitch, Coline Williams and Norman Peterson. Norman Peterson was originally from Paarl but was killed in Cape Town.



movement in the Eastern Cape. Neither were they rooted in community councillors or business strata of the townships.

The social cleavages within the African townships also led to moments of conflict within the ranks of the UDF itself. During late 1987 and early 1988, a conflict based in and around KTC informal settlement amongst UDF and ANC supporters resulted in a handful of deaths and arson attacks requiring the intervention of ANC leadership in Lusaka. In this instance, different approaches amongst UDF supporters with regard to the question of formal housing and appropriate forms of organisation lay at the heart of the conflict.

Quantification of the casualties of the period is quite simply impossible. The injuries, the cases of torture, the psychological damage – none of this can be counted. Some estimation can be made regarding killings. Ultimately, around 300 deaths resulting from political conflict can be identified with some certainty in the greater Cape Town area between 1985 and 1989. There are bound to be many other cases that never reached the public eye or the attention of this researcher. Only more detailed research into mortuary records and inquests may identify these cases. Between one third and one half of these deaths were directly at the hands of the security forces. It is possible to argue that the deaths relating to the witdoeke conflict should also be laid at the door of the security forces. This would make the security forces the main perpetrator in terms of fatalities. The paltry number of deaths at the hands of MK operatives – six were identified – stands in sharp contrast to these figures.

Nevertheless, the relatively high numbers of inter-civilian deaths are an important indicator of the form and content of political conflict in the greater Cape Town area, as well as an important precursor of the events of the 1990s. The 1985 to 1989 period in Cape Town ended with an eruption of conflict in the Crossroads area in December 1989, as Jeffrey Nongwe broke away from Johnson Ngxobongwana and shifted allegiances to the UDF and ANC. This closing event of the decade stands as a pointer to the tremendous conflicts that would sweep Crossroads and Khayelitsha in the 1990s. It marks the end of an era of particular forms of state repression, and highlights the shift from security force violence to inter-civilian violence that characterises the latter half of the 1980s. In the 1990s, the state and its security forces would no longer appear to be at the forefront of political violence. The use of proxy groupings was perhaps the essential lesson learnt by the state in the latter half of the 1980s.

This study has tried to examine how strategies of resistance and repression were implemented in the greater Cape Town area. It is a partial and fairly sweeping view. In particular, its methodology of examining in different chapters the three different 'sites of struggle', namely public protest, organisational resistance and underground military actions, tends to undermine a cumulative sense of their impact. Separately, they do not convey the full and integrated drama of events in the period in Cape Town. Similarly, the separate examination of state responses does not really do justice to the full sweep of the security crackdown in Cape Town and the sense of siege and fear that it induced among citizens and activists alike.

The scale of this study highlights the need for work on a more micro scale with area studies examining townships such as Bonteheuwel, Langa, Mitchells Plain, or Khayelitsha. Each had their own experiences and losses, their own configuration of organisations, issues and campaigns. Similarly, studies could examine particularly structures or sectors, such as the student, youth, women's or Civic organisations. Each had their own dynamics and played a particular role in the shaping of events in Cape Town. Perhaps the greatest silence is that around the activities of the underground structures of MK. Notably, also, this study does not pay attention to the activities and developments in resistance organisations outside of the UDF and ANC. This would however require a different research approach as little is evident through documentation.

Further, a detailed examination of the security structures active in Cape Town, including the JMCs, would yield particular insights into the character and strategic directives shaping state repression. In particular, the archival records of the State Security Council, only partially accessed and examined by the TRC, may indicate useful connections between national deliberations and local events.

The question of researching torture remains a complex issue. For many reasons, it too remains a significant silence in the story of Cape Town in this period. Part of its importance relates to the fact that some of the central perpetrators still occupy positions of power over persons in custody. While the TRC did not recommend lustration for perpetrators of gross human rights violations, it is clearly undesirable for such persons to retain such positions. In this way, research on such matters forms part of the present process of transformation and ensuring that the violations of the past are not visited upon present day citizens.

The end of the 1980s also essentially saw the end of the UDF era. Although the UDF was only to disband formally in 1991, the unbanning of the ANC in early 1990 saw ANC structures largely supplant those of the UDF. While the UDF achieved what appeared to be political hegemony in Cape Town in the 1980s, the 1994 election results which saw the Coloured majority largely vote for the National Party raise significant questions. Indeed, an examination of the reach and depth of the UDF's penetration of the Coloured community in the 1980s is perhaps one of the most pressing sites of research.



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## APPENDIX

### LIST OF DEATHS RESULTING FROM POLITICAL CONFLICT IN THE GREATER CAPE TOWN AREA, 1985 – 1989

Although fairly comprehensive, this list is by no means complete.

The date of death and the age at time of death is provided where ascertained.

If the name is preceded by a question mark (?), this indicates that the political nature of the death has not been fully established or the death has not been fully corroborated.

#### 1985

Name	Age	Date of death	Cause of Death
Ntonton William Mboniswa	29	Crossroads Clash, 18 – 21 February	Shot by police
Vuyisile Sidlayiya	17	Crossroads Clash, 18 – 21 February	Shot by police
Mizana Ndzena	12	Crossroads Clash, 18 – 21 February	Shot by police
Delekile John Lurnkwana	35	Crossroads Clash, 18 – 21 February	Shot by police
Temba Gcanga	31	Crossroads Clash, 18 – 21 February	Shot by police
Mathews Zakeke Mlonyeni	37	Crossroads Clash, 18 – 21 February	Shot by police
Elliot Mazosizwe	26	Crossroads Clash, 18 – 21 February	Shot by police
Fuzile Petrus Juqu	15	Crossroads Clash, 18 – 21 February	Shot by police
Buntubakhe Rasimeni	22	Crossroads Clash, 18 – 21 February	Shot by police
Tom Klaas	31	Crossroads Clash, 18 – 21 February	Shot by police
Lele Mpushe	29	Crossroads Clash, 18 – 21 February	Shot by police
Shumi Abner Duma	17	Crossroads Clash, 18 – 21 February	Shot by police
Stanley Siklangele Mgudlwa	22	Crossroads Clash, 18 – 21 February	Shot by police
Ruben Mzikayise Nyeka	17	Crossroads Clash, 18 – 21 February	Shot by police
Sidwell Mda	15	Crossroads Clash, 18 – 21 February	Shot by police
Michael Pinki Madlebe	21	Crossroads Clash, 18 – 21 February	Shot by police

Mbongeni Maqungu	28	Crossroads Clash, 18 – 21 February	Shot by police
Dumisani Ntlangeni, 16 June	23	16 June	Shot by police
Sithembiso Mathiso, 29 July	17	29 July	Shot by police
Deki James Hans	29	28 August	Shot by police
Kolekile Charles Maroti	24	28 August	Shot by police
Raymond Mbuyiseli Mtuze	16	28 August	Shot by police
Robert Komba	28	28 August	Shot by police
Christopher Phumzile Dantile	14	28 August	Shot by police
Wellington Mlungwana	24	28 August	Shot by police
Manfred Zolile Makasi	28	28 August	Shot by police
Baba Pohlongo	19	28 August	Shot by police
Sandla Oscar Matshaya	22	28 August	Shot by police
Edith Paliso	1	28 August	Burnt by petrol bomb
Mphuthumi Raymond Ngumla	26	29 August	Shot by police
Zukile Vena	28	29 August	Shot by police
Vuyani Makoba	20	29 August	Shot by police
Patricia Pama	14	29 August	Shot by police
Lance Henry Phillips	19	29 August	Shot by police
Brian Lucas	17	29 August	Shot by police
Quentin Stanley Bailey	13	29 August	Shot by police
Lionel Johannes Paulsen	12	29 August	Shot by police
Sara van Wyk	21	29 August	Shot by police
John Jerome November	16	29 August	Shot by police
Clive Christopher Cupido	19	29 August	Shot by police
Gerald Diedericks	19	30 August	Shot by police
Elton Christian Thompson	15	30 August	Shot by police
Garnet Simon Josephus Giose	34	30 August	Shot by police
Mogamat Ebrahim	19	31 August	Shot possibly by civilian motorist
Unidentified male	27	31 August	Shot
Vuyani Papa	16	2 September	Shot by police
Jonathan Paul van Wyk	19	4 September	Shot by police
Samuel Nel	22	5 September	Shot by police
Roadwell Thembekile Judula	28	7 September	Shot by police at funeral of unrest victims
Livingstone Lindile Mandula	23	7 September	Shot by police at funeral of unrest victims
Plaatjies Swartbooi		7 September	Burnt to death in hostel after a funeral
Mtati Qampu		8 September	Burnt to death in hostel after a funeral
Ebrahim Carelse	31	10 September	Shot by police
Donald Mullins	23	11 September	Shot by police
James Joseph Farmer	23	11 September	Beaten to death by a crowd at a funeral
Mntudyedwa Mateicks Nana	31	12 September	Shot by police
Thembisile Tozo	16	12 September	Shot by police
Sipho Garante Silika	20	12 September	Shot by police

Ntsikelelo Milisi	24	12 September	Shot by police
Cornelius Johannes Kapp	41	13 September	Head injury after being stoned in a vehicle
Jongikhaya Sikama	18	13 September	Shot by police
Mziwoxolo Anderson Makeleni	25	16 September	Shot by police
Hilton Stuurman	10	18 September	Shot by police
John Christoffel 'Ivan' Langehoven	21	18 September	Shot by police
Mbapantsi William Mitshili	47	7 October	Shot by police
Mcekeleli Liwani	13	7 October	Shot by police
Mcedi Sintshi	18	10 October	Shot by police
Mthetho Ntlemaza	14	11 October	Shot by police
Michael Cheslyn Miranda	11	15 October	Shot by police
Shaun Magmoed	16	15 October	Shot by police
Jonathan Claasen	21	15 October	Shot by police
Goodman Mengxane Mali	19	16 October	Shot by police
Mabhoti Alfred Vetman	20	16 October	Shot by police
Hilda Buyiswa Mbana	14	16 October	Shot by police
Abdul Karriem Fridie	29	17 October	Shot by police
Johannes Thompson	23	19 October	Shot by police
Pumzile Doram Boo	19	19 October	Shot by police
Zwelekosi Nkingqa	25	22 October	Shot by police
Mbongeni Mbili	17	22 October	Shot by police
Mehlo Mandleku	28	23 October	Shot by police
Monwabisi Headman Mqgoboka	20	23 October	Shot by police
Paul Vidulich	24	23 October	Shot, possibly by civilian motorist
Ezra Maseko	15	23 October	Shot by police
Zinikele James Ndamane	22	October	Shot by police
Buyiselo Victor Komphela	23	25 October	Shot by police
Mxolisi Dofi	21	26 October	Shot by police
Notloto Gobizembe	21	27 October	Possibly killed by civilians
Mogamat Ebrahim	16	28 October	Shot, possibly by civilian motorist
Rebecca Nonzuzo Ngwevushe	36	28 October	Beaten, strangled and necklaced
Jackson Phindani	18	5 November	Shot by police
Justice Mzazi Fatyele	19	5 November	Shot by police
Zibonele Criswell Nogwaza	20	27 November	Shot by police
Kele Lennox Mlanjeni	35	29 November	Shot by police
Frank Joseph		30 November	Security guard shot dead by youth trying to get his gun while robbing a tavern
Ismail Safodien	45	Early December	Stoned to death on the back of a truck
Synod Makuthweni Barnes	20	4 December	Shot by police
Albert Andile Selani	12	16 December	Shot by police
Sixangatana Archibald Siqasa	46	24 December	Community councillor

			burnt to death at a funeral
Shadrack Mabandla Zokolo	49	25 December	Beaten to death by vigilantes
Gangateli Monti Ngxabazi	65	25 December	Beaten to death by UDF supporters and set alight
Nkwenkwa Todd Nomongo	61	31 December	Beaten to death by UDF supporters and set alight

## 1986

Victor Loyiso Mkontwana	30	1 January	Multiple injuries – beating and stoning
Willie Vile Kotoyi	53	1 January	Multiple injuries – beating and stoning
Hitler Mngqibisa	45	1 January	Multiple injuries to head
Unknown person		1 January	Burnt
Lungile Lawrence Sotyantya	27	4 January	Burnt
John Mancenjani	58	6 January	Burnt with necklace
Toto Zithilele Ndibaza	37	28 January	Hacked and shot in clash at KTC
Misumzi Theo Zokoza	29	28 January	Hacked in clash at KTC
Jongisizwe Sigonyela	16	28 January	Hacked in clash at KTC
Silumko Wiseman Pienaar	25	16 February	Necklaced
Dumisani Michael Ndongeni	25	16 February	Necklaced
Mandla Simon Mxinwa	23	3 March	Guguletu 7 – shot by police
Zanisile Zenith Mjobo	21	3 March	Guguletu 7 – shot by police
Zola Alfred Swelani	22	3 March	Guguletu 7 – shot by police
Godfrey Jabulani Miya		3 March	Guguletu 7 – shot by police
Christopher Piet	23	3 March	Guguletu 7 – shot by police
Themba Mlifi	30	3 March	Guguletu 7 – shot by police
Zabonke John Konile		3 March	Guguletu 7 – shot by police
Richard Bonani Ningiza	22	4 March	Burnt, beaten and shot
Sherif Mzwandile Cekiso	28	5 March	Shot dead at KTC by vigilantes
Copayishiye Heatvoot Stwayi	37	20 March	Vigilante, hacked and burnt
Mncedisi James Mehlala	53	20 March	Vigilante, hacked and burnt
Zwelitsha Mathole	32	21 March	Vigilante member beaten and stabbed to death.
Mzwandile Xekethwana	29	21 March	Vigilante member beaten and stabbed to death.
Jackson Siwana Mbindini	64	21 March	Vigilante member beaten and stabbed to death.
John Tsoe Palama	54	21 March	Vigilante member beaten and stabbed to death.
Jack Matshona Mahlabedlula	61	21 March	Vigilante member beaten and stabbed to death.
Mdoda Albert Kuze	53	21 March	Vigilante member beaten and stabbed to death.
Zityele Mtsha	44	21 March	Vigilante member beaten and stabbed to death.
Patrick Legong	25	25 March	Policeman shot by unidentified

			assailant in Crossroads
Lennox Thabang Maphalane	16	25 March	Shot by police
Goodman Bongani Dastile		25 March	Shot by police
Eric Heynes	32	26 March	Shot by police
Andile Dan Mankayi		26 March	Shot by police
Jakobus Johannes Louw	31	8 April	Shot dead by youth robbing him of his weapon at KTC
Bonisile Charlie	26	20 April	Necklaced
Kosinathi Chukhwana	32	21 April	Necklaced
David Madiba Nqola	38	21 April	Necklaced
Rashid Abrahams	30	28 April	Burnt to death in vehicle after being stoned
David Nduti		31 April	Burnt to death in vehicle after being stoned
Ayanda Silika	23	10 May	Shot by police
<b>First witdoeke attack, 18 - 22 May 1986 and aftermath</b>			
Mzingisi Napotye	27	17 May	Head injury
Donald Mgadi	48	17 May	Shot
M Mdlamkomo	19	17 May	Head injury
Desmond Phumzile Dozi	30s	18 May	Shot
Thozama Nelson Maso		19 May	Shot
Peter Poponi	28	19 May	Shot
Sipho Shoba	28	19 May	Head injuries and burns
Sabelele Jack	46	19 May	
ES Phillip	22	19 May	Stabbing
Sibibilwana Rennick Ndzishe	45	19 May	Shot
Unidentified		19 May	Shot
Unidentified		19 May	Shot
Maboyisana Mgalimani	22	20 May	Head injury
Dumele Ntantiso	58	20 May	Burnt
Zenzile Siqhwala		20 May	Shot
Sebinzile Nqankase	26	20 May	
Makhosi Somdaka	18	20 May	
N Bujelwa (female)	30 - 40	20 May	Burnt
E Cele	30 - 40	20 May	Burnt
Zacharia Dumile Ntsethe	40s	20 May	Necklace and fractures
Unidentified		20 May	Necklace
M Ndamane	20 - 30	21 May	Head and body injuries
Unidentified		21 May	Burning
Unidentified		21 May	Burning
M Monombane	20 - 30	22 May	Assault
A Ngxameleni	30 - 40	22 May	Assault
VR Gugusa	20s	23 May	Brain damage
G Zazele	20s	23 May	Multiple injuries
MP Mntuntwana	20s	23 May	
Ernest Solozi Topana	47	24 May	Multiple injuries
Sydney Rosseau		24 May	



Unidentified	25	24 May	Multiple injuries
Lukhanyiso Mendo Finye	17	25 May	Beaten and stabbed by witdoeke after being abducted at a roadblock
Vuyani Douglas Dyaboza	19	25 May	Beaten and stabbed by witdoeke after being abducted at a roadblock
Unidentified		26 May	Necklace
<b>Second Witdoeke Attack, 9 – 11 June and aftermath</b>			
Sazi Gwentsha	19	9 June	Head injuries
Lennox Dyantyi		5 June	Shot and burnt
Maylos Mxolisi Maseko	35	9 June	Multiple stabbing
George Daniel Pongolo	23	9 June	Beating
Temba Dunga	76	10 June	Beating – head injury
Christopher Kwayimani	38	10 June	Shot
Kali Cameron	65	10 June	Beating and burning by necklace
Mtuzi Hackington Mphomane	17	10 June	Shot – multiple injuries
Michael Jane	45	10 June	Multiple injuries
Stewart Maxama	48	10 June	Shot and stabbed
Mhlangabezi Dibela	23	10 June	
Unidentified	20	10 June	Head wounds
George D'Ath		10 June	Journalist hacked by witdoeke
Theopolous Tamsanqa Mhambiso	36	11 June	Multiple injuries
Phosiza Albertina Velleem	14	11 June	Shot in head
A Morrison (female)	40	11 June	Head injury
Sithembiso Sydney Mduba		11 June	Shot
Makhosi Mdlalo		12 June	Hacked and burnt
Unidentified	25	12 June	Beating and necklace
Julius Tamsanqa Gwabe	21	13 June	Head wounds
Unidentified	20	15 June	Head injury and burning
Matatana John Galaweni	40	9 June	Shot
Mtatho Scott	45	28 June	Multiple injuries
Leon Mzimkulu Xingashe		28 June	Multiple injuries
Monwabisi Nombane		June	
Monwabisi Atwell Mgabi	22	June	Shot
<b>Other 1986 deaths:</b>			
Moegsien Abrahams	23	25 May	Beaten and stabbed to death by UDF supporters at a UDF rally in Mitchells Plain
Benjamin Siphon Jafta		14 June	Shot by police at roadblock
Mpumelelo Krwakrwa	24	27 October	Shot by police

1987

Gysbert Labuschagne	23	9 January	Policeman killed in handgrenade attack by MK
? L Kondlo	63	2 February	
Zola Michael 'Jabulani' Dubeni		14 March	MK operative shot dead by police
Norman Peterson aka Billie Holiday	23	11 March	MK operative shot dead by police
Mawethu Jevu		16 May	Shot dead by two kitskonstables
? Jack Voro Sogiba	67	5 July	
Ashley James Kriel	21	9 July	MK operative shot dead by police
Derrick Ngoqo		11 November	Shot by police
Mabutis Vutula	19	15 November	Shot in KTC internal feud
Stanford Mdubane Nkosana	45	15 November	Shot dead in KTC internal feud
Michael Ndwalaza	33	16 November	Shot in KTC internal feud
? Brown Landile Ntlantshana	27	16 November	
? Thabekhonza Tshetu	38	19 November	
? Mcekeleli Qunta	30	19 November	
Ginyigazi Gwazekaya	45	15 December	Policeman killed in MK attack

1988

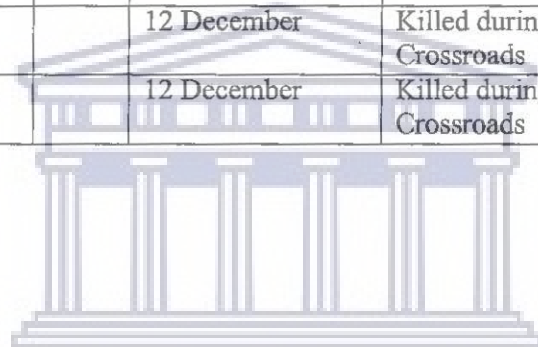
Stormont Madubela		28 January	Beaten to death by youth during KTC internal feud
Delekile Siqaba		Jan or Feb	Killed during KTC internal feud
Cameron Kani		2 February	Shot by police
Nkosiyabo Mizah		5 February	Killed during KTC internal feud
Sandile Hudson Tubela	45	29 May 1988	Policeman killed in MK attack
Elliot Mphathio Ketelo		June 16 1988.	Civilian killed by MK limpet mine
Nozico Siboto	63	3 July 1988	Community councillor shot in MK attack
Nkululeko 'Solly' Matsi aka Kenneth Moyake		5 July	MK operative shot dead by police
Bhutise Willie Soga		2 September	Crossroads Witdoek leader shot by special constables
Mthetheleli Gcina	26	27 September	MK operative shot dead by askaris
Mzwethu Mbambo		26 December	Shot dead

1989

Patrick Welile 'Deks' Dakuse		23 January	UDF activist and MK operative shot dead by police
Harold Kutta	31	15 June	stabbed to death at a burning barricade

Thembisile Kwinana	26	16 June	Shot dead
Unidentified male		23 August	Fell of truck when stoned, possibly stoned and hacked
? Nototo Sikide		25 August	Stoned on back of vehicle
? Conrad Erasmus		25 August	Stoning of vehicle
Peter Boyd, 64	64	Late August	Stoning of vehicle
A Special constable		Third week of August	Stabbed and beaten to death
Wouter Theron Pienaar	24	3 September	Stoning of vehicle
Unidentified person			Shot by civilian motorist while stoning vehicle
Coline Williams		23 July	MK operative killed in limpet mine blast
Robert Waterwitch		23 July	MK operative killed in limpet mine blast
Nozuko Mpande	13	16 October	Pedestrian hit by a vehicle that had been stoned
Sibongile Gantana	12	16 October	Pedestrian hit by a vehicle that had been stoned
Anton Fransch		17 November	MK operative killed in hand grenade blast during shootout with police
A special constable Khayelitsha.		27 December	Stabbed by a crowd in Khayelitsha
Liziwe Masokanye	23		Death relating to election violence
Patrick Muller	13		Death relating to election violence
Joseph Michael Makoma	25		Death relating to election violence
Leonard Rass, 13	13		Death relating to election violence
Pedro Page	18		Death relating to election violence
Ricardo Levy	11		Death relating to election violence
Sulaiman Martin	26		Death relating to election violence
Yvette Otto	16		Death relating to election violence
Elsie Chemfene	60s		Death relating to election violence
Thembinkosi Tekana	21		Death relating to election violence
Thanduxolo Hlonyane	20		Death relating to election violence
Madoda Magxidolo	21		Death relating to election violence
Boysie Mdyogolo	21		Death relating to election violence

Fundo Bhontis	15		Death relating to election violence
Nomthunzi Matshebelele	5		Death relating to election violence
James Matimba	52		Death relating to election violence
Lubalo Mtikrakra	20		Death relating to election violence
Elland Gajana	30		Death relating to election violence
Mlungiseleli Mabatyi Qhathazana			Death relating to election violence
Celiwe Plaatjies	16		Death relating to election violence
Unknown		12 December	Killed during internal clash in Crossroads
Unknown		12 December	Killed during internal clash in Crossroads
Unknown		12 December	Killed during internal clash in Crossroads
Unknown		12 December	Killed during internal clash in Crossroads
Unknown		12 December	Killed during internal clash in Crossroads



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