

THE TRUTH AND RECONCILIATION COMMISSION REPORT AND CONFLICT IN PIETERMARITZBURG IN THE 1980s

by Christopher Merrett

THE published report of the Truth and Reconciliation Commission (TRC) is badly laid out, typographically poor and prone to error (for example, Sharpeville is mis-spelt).¹ There is a wealth of information, but it is hard to locate as there is no index, although the document is searchable online. Nevertheless it is one of the most significant South African publications of the post-apartheid era. But to what extent did it add to knowledge of Pietermaritzburg's dirty war that was not already in the public domain?

By the late 1980s, the Natal Midlands was served by a world-class human rights monitoring network. Ultimately, the main credit for this lay with the Centre for Adult Education (CAE) at the University of Natal in Pietermaritzburg. Reporters for the *Natal Witness* had long been committed observers while the Progressive Federal Party (PFP) developed an efficient information network. The establishment of non-governmental organisations such as the Pietermaritzburg Agency for Christian Social Awareness and the Association for Rural Advancement, alongside specific-interest bodies such as the Detainees Support Committee and Dependents' Conference, added to the coverage. When the State of Emergency was declared on 12 June 1986, the CAE provided an academic dimension and a protective umbrella. An avalanche of analysis and papers in the name of the Unrest Monitoring Project chronicling the local conflict was published.² This was founded on a detailed and reliable computer database.

When the TRC was established in 1995, its remit included the compilation of as complete a picture as possible of human rights violations committed between 1960 and 1994. Around Pietermaritzburg the background had been well recorded.³ More specifically, the violence associated with the long-running BTR-Sarmcol strike at Howick and Mpophomeni,⁴ State of Emergency detentions,⁵ the low-level civil war that started in September 1987 at KwaShange and culminated in the Seven Day War,⁶ the Trust Feed massacre,⁷ a string of high-profile assassinations in the early 1990s (for example, Chief Mhlabunzima Maphumulo,⁸ S'khumbuzo Ngwenya Mbatha⁹ and Reggie Hadebe) and the beginnings of the Richmond conflict were thoroughly documented, sometimes as a result of prosecutions and court cases.

For all its outward shortcomings, the published report of the TRC was to show that the area's dirty war was more protracted and complex than the existing record indicated. For instance, in November 1975 Anton Xaba, who had served a sentence on Robben Island, was interrogated and tortured for two days at the security branch (SB) offices at Loop Street police station. His treatment included suspension by the feet from a third-floor window, during which his head was banged against the wall and an arm broken. Before the 1976–1977 treason trial that featured Harry Gwala, an ANC Youth League leader, Sipho Kubheka, was held in solitary, assaulted and threatened with ejection from a moving train if he failed to testify for the State.¹⁰

The TRC report also recorded the detention and torture in Pietermaritzburg of the Pan Africanist Congress (PAC) leader Zephaniah Mothopeng after the Soweto Uprising. He was forced to lie on ice and subjected to helicopter treatment (suspension from the ceiling).¹¹ This was followed in 1977 by two deaths in detention, although the TRC report fails to record the first: on 22 February Samuel Malinga died at Edendale Hospital, officially of heart disease and pneumonia.¹² A month later on 26 March, Aaron Khoza a PAC member from Krugersdorp allegedly hanged himself at Pietermaritzburg prison, although the autopsy showed signs of severe assault.¹³ It took the TRC report to fix most of these events from the 1970s firmly in the historical record.

During the first half of the eighties the Pietermaritzburg region was relatively quiet by national standards, although constantly disturbed by simmering unrest in the schools; bus boycotts; and reaction to the State's planned introduction of township councils and forceful politicking by Inkatha heavyweights.¹⁴ The deaths associated with the BTR-Sarmcol strike, especially those of three Metal and Allied Workers Union members killed by Inkatha near Lion's River on 5 December 1986,¹⁵ were a precursor to the widespread violence that enveloped the region after the deployment of police auxiliaries in 1988.

The TRC is particularly illuminating about these kitskonstabels (instant police) and provides revealing insider testimony: part of the strategy 'was to remove white faces from the front line of public order policing'. It found that Inkatha membership 'appeared to be a criterion' for recruitment with application forms endorsed by induna

and warlord David Ntombela. One of the instructors was a well-known warrant officer, Rolf Warber, of the Pietermaritzburg SB, who not only incited kitskonstabels to harass and intimidate non-Inkatha supporters in Imbali, but purchased firearms on behalf of prominent Inkatha figures that were subsequently identified in murder cases. Many kitskonstabels deserted their posts or were dismissed after criminal charges were laid against them. The TRC report records the admission by Jac Buchner, commander of the local SB, that auxiliaries had contributed to the political violence. In the words of Riot Unit officer Daniel Meyer, they were 'one of the single biggest mistakes made by the police in KwaZulu-Natal'.¹⁶

Also deployed in the Pietermaritzburg area were Operation Marion special forces trainees from Caprivi assigned as bodyguards to *amakhosi*, *izinduna* and councillors. Part of their role was to train Inkatha youth in weapons handling and combat. The TRC report identifies a number of attacks on United Democratic Front (UDF) supporters at Imbali in which Caprivi trainees, bodyguards of councillor Jerome Mncwabe, for instance, were the perpetrators.

Further revelations were made about the local equivalent of Vlakplaas, an SB farm at Elandskop used as an interrogation centre, most notably during the rolling up of Umkhonto we Sizwe's operation based in Swaziland in the late 1980s to infiltrate Natal. Phila Portia Ndwandwe (MK Zandile) and Dion Mzimela (Cele) were abducted from Swaziland, while Bhelayena Mkhwanazi (MK Tekere) was arrested en route to Durban. All were murdered at Elandskop, their bodies exhumed in 1997.¹⁷ At Camperdown there was

a second SB farm housing askaris. Testimony before the TRC revealed that another MK operative, Mxolisi Khumalo (MK Mubhi), was killed by police on 30 July 1988, probably at Sobantu football ground. A false name and inquest number concealed his body in a pauper's grave at Mountain Rise cemetery and when it was exhumed ten years later, it showed a gunshot wound to the head but no evidence that Khumalo's grenade had exploded as police claimed.¹⁸

A reign of terror around Pietermaritzburg in the name of Inkatha is clearly recorded in the TRC report. In the upper Edendale valley induna David Ntombela's strategy was to drive UDF supporters and Congress of South African Trade Union members out of the area: he incited his followers to kill and had a particularly close relationship with the police. While Ntombela's inflammatory rhetoric had been documented in the press, the TRC report records testimony of his direct involvement in murder.¹⁹ His urban equivalent, Abdul Awetha, commanded strongmen and ran a patronage system around housing and trading licences, particularly in Imbali.²⁰ Both Ntombela and Awetha were found responsible for human rights violations.

This climate of pervasive targeted violence provided the backdrop for a series of high-profile assassinations. Chairperson of the Pietermaritzburg Council of Churches, Victor Africander, was shot dead on 4 May 1990 and Imbali councillor Jerome Mncwabe, subsequently named as a perpetrator by witnesses before the TRC, was killed twelve days later, probably in retaliation.²¹ The TRC establishes a chain reaction of killing: Imbali residents Baveni Ngcobo and Ndleleni Dlungwane were subsequently murdered

as a consequence of Mncwabe's death. The Inkatha supporter convicted of Africander's murder was acquitted on appeal.

While details of the Seven Day War of March 1990 were well-known before publication of the TRC report (as well as reliable eyewitness accounts, *Witness* and PFP staff had observed events from the air), it highlighted trends that were obscure or unproven at the time and provided a fresh perspective. Intriguingly, this included debate about its very definition. There was objection to the use of the term war, which implies a struggle of equals: witnesses were insistent on describing it as 'an armed invasion [the term used by the TRC in its finding], a political cleansing.'²² The TRC report highlights the scale of looting (including cattle), the destruction of private property, the use made of disguised KwaZulu government vehicles, and the key and commanding role played by Ntombela. The inexplicable non-intervention by the army is also partially illuminated. Six vehicles and 100 troops were made available to keep the Edendale Road open for workers commuting to Pietermaritzburg; but police authorisation, without which the defence force could proceed no further, was not forthcoming. The role of the police was found by the TRC to be blatantly partisan. The army was reinforced by four companies and moved into the conflict area only in mid-April. Twenty thousand people had been displaced, but no disaster relief was provided by government.²³

The ANC did not escape censure. The treason trial of Harry Gwala and others took place during 1976 and 1977. Shortly after testifying for the State, Leonard Nkosi, who had taken

part in the ANC's Wankie campaign but was turned, operated as an askari and joined the SB, was murdered. A similar killing was that of student activist Ben Langa in June 1984 in Edendale on suspicion of being a police informer.²⁴ The ANC was found to be culpable, although it was lured into this incident by a double agent. As a result of the events of the late 1980s it was also guilty of warlordism. Its most prominent advocate, although his incitement had been well reported in the press, emerges from the TRC report as the enigmatic figure of Gwala himself who was found to have encouraged supporters to commit 'gross violations of human rights'.

Sifiso Nkabinde, who established ANC-backed self defence units in the Richmond area in the early 1990s, and played a freelance warlord role before he was expelled from the party in 1997, was shown to have been an agent for the SB since 1988. Like Gwala, Nkabinde was found responsible for gross violations of human rights. The ANC had condoned his reign of terror, which extended well beyond Richmond.²⁵

Emerging from the poorly presented pages of the TRC report is a picture of the extent to which the SB, behind its protective metal door on the top floor of Loop (now Jabu Ndlovu) Street police station in Pietermaritzburg, ran an effective control room from which the city's conflict was managed and manipulated. Conversely, there are telling absences from the TRC report. It supports the findings of contemporary monitors that Umkhonto we Sizwe's role in the area was minimal up to 1990, contradicting the preferred versions of both the ANC and conservative critics of local analysts.²⁶ There is similarly no

evidence of a third force, just the State and its surrogates, which upsets another ANC version of history. In short, the TRC report disposes of grand theory and confines itself to the basic truths and trends that local monitors had identified at the time: a popular revolt against imposed policies of the State and its surrogates.

The importance of the statistics and grey literature produced during the 1980s, together with contemporary analyses, becomes clear. The TRC report confirms much of it and adds a great deal more. Exactly which documents were used by the TRC is unknown because its report is bibliographically wayward particularly in its Natal section, neglecting to record sources.²⁷ Nevertheless, the truth commission process provides an object lesson in the value of the immediacy of on-the-spot monitoring and a subsequent and considered retrospective view. In this case, the conclusions of both, in the absence of further unknown information and evidence yet to be publicly disclosed, provide a clear insight into government strategy in the years immediately prior to the collapse of apartheid.

Yet it almost certainly does not contain the complete story of the Pietermaritzburg conflict. Tons of SB documents were shredded. Perhaps more disturbing was the combined effort under a democratic dispensation, and citing security concerns, of the National Archives, Department of Justice and National Intelligence Agency to obstruct public access to the undisclosed documentary evidence that the TRC lacked the opportunity to analyse. Charles Villa Vicencio, head of the TRC's research department, expressed the hope in 1998 that the

published report would stimulate further investigation by academics and journalists, but there is little evidence that this has happened.²⁸ Indeed, many years later there is still a demand that the TRC process should be revisited.

NOTES

- 1 Truth and Reconciliation Commission of South Africa, *Report* (Cape Town: TRC, 1998).
- 2 Retrospectively published as John Aitchison, Wendy Leeb and Vaughn John, *Political Violence in the Natal Midlands: The Unrest Monitoring Project Papers, 1988–1994* (Pietermaritzburg: Centre for Adult Education, University of KwaZulu-Natal, 2010). General coverage of conflict in Natal and KwaZulu is recorded in Christopher Merrett, *The Emergency of the State: A Source Guide to South African Political Issues, 1985–1990* (Pietermaritzburg: University Library, University of Natal, 1993 – Publication series; no.8).
- 3 For example, Gerhard Maré and Georgina Hamilton, *An Appetite for Power: Buthelezi's Inkatha and the Politics of 'Loyal Resistance'* (Johannesburg: Ravan, 1987); Anthony de V. Minnaar, *Conflict and Violence in Natal/KwaZulu: Historical Perspectives* (Pretoria: Human Sciences Research Council, 1990); John Aitchison, *Interpreting Violence: The Struggle to Understand the Natal Conflict* (Pietermaritzburg: Centre for Adult Education, University of Natal, 1990); *The Killings in South Africa: The Role of the Security Forces and the Response of the State* (New York: Africa Watch, 1991); *Now Everyone is Afraid . . . : The Changing Face of Policing in South Africa* (London: Catholic Institute for International Relations, 1988); Clive Napier and Phil Mtinkulu, *Pietermaritzburg's Sobantu Village: A Case Study of Control and Violence in a Natal Township* (Pretoria: Department of Development Administration and Politics, University of South Africa, 1989); and *States of Terror: Death Squads or Development?* (London: Catholic Institute for International Relations, 1989). Journal literature included *Human Rights Update* (Braamfontein: Human Rights Commission); *Indicator South Africa: Barometer of Social Trends* (Durban: Centre for Social and Development Studies, University of Natal); *Repression Monitoring Group Bulletin* (Durban: Black Sash Natal Coastal Region); and *SA Barometer* (Excom: KSB Publications).
- 4 Labour Monitoring Group (Natal), 'Monitoring the Sarmcol struggle' *South African Labour Bulletin* 11(2) 1985, pp. 89–112.
- 5 Christopher Merrett, *Detention under Three Emergencies: A Report on the Natal Midlands, 1986–1989* (Pietermaritzburg: Detainees Aid Committee, 1989).
- 6 Matthew Kentridge, *An Unofficial War: Inside the Conflict in Pietermaritzburg* (Cape Town: David Philip, 1990); Tim Smith, *They have Killed my Children: One Community in Conflict, 1983–90* (Pietermaritzburg: PACSA, 1990).
- 7 Tim Smith, 'Trust Feed wasn't a one-off massacre' in *Patterns of Violence: Case Studies of Conflict* edited by Anthony Minnaar (Pretoria: Human Sciences Research Council, 1992), pp. 243–6.
- 8 Catharine Payze, 'The elimination of political opponents: the Maphumulo assassination' in *Patterns of Violence: Case Studies of Conflict* edited by Anthony Minnaar (Pretoria: Human Sciences Research Council, 1992), pp. 247–58; Patrick Stilwell, 'Mhlabunzima Joseph Maphumulo (1950–1991) [obituary]' *Natalia* 21 (1991), pp. 71–2.
- 9 Karen Allsopp, *Comrade Lost: A Life to Inspire us* (Pietermaritzburg: PACSA, 1992).
- 10 TRC, *Report vol. 3*, p. 169.
- 11 *ibid.*, p. 178.
- 12 Max Coleman (ed.), *A Crime Against Humanity: Analysing the Repression of the Apartheid State* (Cape Town: David Philip and Mayibuye Books; Johannesburg: Human Rights Commission, 1998), p. 59.
- 13 TRC, *Report vol. 3*, p. 178–9.
- 14 Paul Forsyth, *Pietermaritzburg Conflict Chronology: Political Developments in Pietermaritzburg, 1980–1986* (Pietermaritzburg: Department of Historical Studies, University of Natal, 1991); Nkosinathi Gwala, 'Political violence and the struggle for control in Pietermaritzburg' *Journal of Southern African Studies* 15(3) 1989, pp. 506–24.
- 15 Mzala [Jabulani Nxumalo], *Gatsha Buthelezi: Chief with a Double Agenda* (London: Zed Books, 1988), pp. 181–3.
- 16 TRC, *Report vol. 3*, pp. 194–6. The auxiliary police had already been scrutinised in *Kitskonstabels in Crisis: A Closer Look at Black on Black Policing* (Cape Town: Institute of Criminology, University of Cape Town, 1990).
- 17 Jacob Dlamini, *Askari: A Story of Collaboration and Betrayal in the Anti-Apartheid Struggle* (Johannesburg: Jacana,

- 2014), pp. 225–8.
- 18 TRC, *Report vol. 3*, p. 206.
- 19 *ibid.*, p. 218; Tim Smith, ‘The warlord and the police’ in *Patterns of Violence: Case Studies of Conflict* edited by Anthony Minnaar (Pretoria: Human Sciences Research Council, 1992), pp. 57–60.
- 20 TRC, *Report vol. 3*, pp. 218–19.
- 21 Ruth Lundie, *Victor* (Howick: Brevitas, 1995).
- 22 TRC, *Report vol. 3*, p. 266.
- 23 *ibid.*, pp. 259–68.
- 24 *ibid.*, pp. 171–2, 231.
- 25 *ibid.*, pp. 215.
- 26 Anthea Jeffery, *People’s War: New Light on the Struggle for South Africa* (Johannesburg: Jonathan Ball, 2009).
- 27 For instance, the source of the list of names of June 1986 detainees is not acknowledged (TRC, *Report vol. 3*, p. 192).
- 28 Piers Pigou, ‘Accessing the records of the Truth and Reconciliation Commission’ in *Paper Wars: Access to Information in South Africa* edited by Kate Allan (Johannesburg: Wits University Press, 2009), pp. 17–55.