



TRAC

Transvaal Rural Action Committee

A Project of
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V I G I L A N T E S

Introduction

South Africa is a violent society characterised by both structural and direct physical violence being perpetrated against the oppressed black communities in both urban and rural areas. Slowly the society has been anethetised into accepting the presence of hippos, police and SADF as a daily occurrence. The newspapers are filled daily with stories of people detained, shot or teargassed.

In recent months the nature of the violence perpetrated against many communities has taken on a new and horrifying dimension, namely the phenomenon of vigilante groups launching brutal attacks against members of organisations rooted in these areas. Evidence of the way in which the authorities have sat by and allowed these attacks to take place and have not offered protection to victims shows an unprecedented level of callousness. In less than eight months the word 'vigilante' has become a common and terrifying part of township vocabulary.

On the 22-23 February TRAC and EDA had a conference on rural repression to try to counter the isolation of repressed rural communities. The main spontaneous topic of discussion was forms of intimidation - how the communities lived in constant fear on every level: fear of the SADF, of police, of arrest if shot, of death whilst attending the funeral of a relative and of death at the hands of vigilantes.

The latter was discussed in great detail and one sensed a feeling of great pain, confusion and frustration amongst people from communities who had fought and won great struggles in their areas against forced removals, rent evictions and other community issues. These are communities that TRAC has seen grow in confidence and organisation through winning victories. These are organisations which had such support from the people in their areas that they had not needed violence to win their battles but had been able to demand a right to be heard because they represented the feeling of the majority. TRAC had seen people begin to make their own demands, run their own lives, be aware of their rights and develop the standard of living in these areas. However, the fact that people should proceed with peaceful, stable and organised ways of running their lives outside of a government structure was seen as a threat to the authorities. The answer was to smash organisation crudely and viciously. Enter the vigilantes.

The examples of four communities that TRAC had direct contact with, demonstrate the levels of horror that this new tactic has caused. And we say 'tactic' because there is evidence that the police in some of the areas involved have given these attacks passive support, by not taking immediate action to stop them and arrest the vigilantes.

The communities to be discussed are Huhudi, Leandra, Ekangala and Moutse.

In the cases of Leandra and Huhudi the vigilantes have emerged after state repression has failed to destroy community organisations. The present international climate has meant that for the police to be seen to be directly involved in crushing organisation is costly for South Africa. For the same thing to happen through vigilante attacks can however be written off as 'black on black violence' or 'faction fighting'. The chaos and confusion caused by such attacks also allows the police and SADF the opportunity to occupy townships by intervening to 'restore law and order' as happened in Huhudi.

Huhudi

In October 1984 the township of Huhudi was reprieved from the threat of removal. The fight against forced removal to Pudumong in Bophuthatswana had been led by the Huhudi Civic Association (HUCA), formed in 1983 to fight the removal. The Community Council in Huhudi had been unelected and ineffective, according to the people. so HUCA was formed. After the reprieve HUCA went from strength to strength and the community council became increasingly marginalised in the face of the energetic approach of HUCA activists. The civic association commenced a brick-making project to help people repair houses that had fallen into disrepair over the previous fourteen years. It also established a legal advice office to deal with pension problems, urban residence rights applications and labour problems. HUCA established contact with urban trade unions, and lent support to the initiation of unions in the Vryburg district. In 1983 HUCA affiliated to the UDF and UDF speakers attended the HUCA rallies. HUCA increasingly drew parallels faced by the Huhudi community and the broader problems faced by blacks in South Africa. It had begun to speak out against community councillors, arguing that the community council structure was a poor substitute for effective political rights.

During October 1985, two members of the HUCA executive were detained. The remaining executive became aware of increased police attention and harassment. In response they decided to expand the sub-committees to include young and old and thus encompass more residents in HUCA. It was at this point that community council opposition to HUCA became evident.

On 16 June a community councillor drove his car into a crowd of

people returning from a HUCA rally severely injuring a school girl. Shortly afterwards supporters of HUCA had their houses stoned by a group of person who became referred to as the 'vigilantes'. Some of these vigilantes were identified as relatives of two community councillors.

On 10 November, Mr Hoffman Galeng, chairman of HUCA and Northern Cape president of the UDF, was threatened by a brother of a community councillor. The matter was reported to the police, but as yet not action has been taken. Later it was reported that a group of vigilantes invaded Galeng's house and attacked his dogs. Incidents of vigilante activity against HUCA members intensified in late November 1985. On Sunday, 24 November, a group of people leaving a HUCA meeting were allegedly attacked by vigilantes. Several HUCA supporters were taken into the shop of a community councillor and assaulted. Two activists, Isaac Peloeng and Florence Nkosi, were hospitalised as a result. They were allegedly taken to hospital in a police van, placed under police guard and on discharge, they were taken to police cells. Both alleged that they were forced to sign statements they disagreed with and were charged with public violence. Eliah Galeng, brother of Hoffman Galeng, was attacked in the yard of Hoffman's house. The Galeng dog was shot dead and vigilantes stoned the house. Eliah allegedly ran out to defend the house as the vigilantes attacked him with a pick. A police landrover arrived and a policeman is alleged to have asked the vigilantes whether Eliah was the 'King' - an apparent reference to Hoffman Galeng. Eliah was then allegedly dragged to the landrover and taken to hospital where he was held under police guard. The vigilantes were not charged.

Eliah Galeng was kept under police guard in hospital until 28 November. He was allegedly refused access to legal representatives by a Major Botha of the Vryburg police. The police are also alleged to have requested Eliah's doctor to discharge him as they needed a statement from him, giving assurances that they would not arrest the patient on his discharge. No sooner had he been discharged, than he was arrested and charged with public violence. Eliah claims he made a statement to the police who refused to read it back to him before he signed it.

On 25 November, the vigilantes allegedly attacked a group of youths who scattered. A 17 year-old boy, Sylvester 'Mr. Ref' Gasebue hid in a nearby house. Vigilantes threatened the occupant with a gun until she admitted that the boy was inside. Sylvester was dragged out and shot dead. A newspaper report paraphrased a witness's account of the killing as follows:

'The vigilantes dragged 'Mr. Ref' from the house, beat him with spears and assegais, then fired two shots into hime at point-blank range. One of the smaller vigilantes then dumped a rock on the young man's head as he lay on the ground.' (Star 27 November

1985).

An eye-witness living across the street gave lawyers a clear account of the incident. His statement was handed to the police. The witness was later taken by the police and pressed to change his statement. He later confessed to a black Sash field worker that he had changed his statement. The names of two of the assassins were handed to the police but no action has been taken against them.

The following day, November 26, the homes of Francis London and Hoffman Galeng, both executive members of HUCA were burnt to the ground by vigilantes. Four women in the Galeng home were held in a corner of the yard and forced to witness the vigilantes pour petrol over the house and set it alight. Mr. Galeng and four boys were inside. Three, including Mr. Galeng, escaped without injury. The fourth was badly burnt and a fifth, Thomas Seitsang was hacked with pangas in front of the women as he dashed out of the house. His body was later found in the mortuary with three bullets in it. Mr. Galeng rushed to the police station during the fire, and the police took approximately half an hour to arrive at the scene. Advocates took statements from witnesses - four women, two boys and Mr. Galeng. These statements were handed to the police, who told witnesses to come later and sign the statements. Only three were allowed to sign the statements and the others were turned away. Mr. Galeng was told to come and sign the statement regarding the attack on his brother Eliah, but each time he went he was told to come back the following day. He did this for five days and then began to feel the police were keeping him in Huhudi by delaying him. Fearing for his life, he fled Huhudi for Johannesburg. On the 21 January he was detained in Johannesburg in terms of section 29 of the Internal Security act.

On 27 November the house of the only community councillor considered to be sympathetic to HUCA was attacked. He too laid charges at the police station and the names of ten vigilantes were handed to the police at Vryburg. No action has been taken against any of these. Two weeks later, after a spate of events, a Vryburg policeman told a Black Sash field worker that to his knowledge none of the victim's statements identified any of the vigilantes and that is why they have not been able to proceed with prosecutions.

An attorney representing the victims approached the Attorney-General of the Northern Cape about the failure of the police to act against the vigilantes. He informed her that he had no authority over the police and redirected her to the Commissioner of Police. The police, meanwhile, have imposed an informal curfew in Huhudi. Residents fear that if they are found in the streets after 18h00 they may be assaulted by the police. Restrictions were placed on the funeral of Sylvester Gasebue on 7 December, and police arrested 30 people claiming the T-shirts they wore were unlawful banners. Since these events, several people have been assaulted by vigilantes and have fled Huhudi.

Both those who fled and those who remain have lost faith in the protective capacity of the law and in particular of the police.

Trac fieldworkers have received complaints that police have refused to take statements from people who have been assaulted by vigilantes. Some key members of HUCA have not left the area, but are reluctant to reveal their presence. HUCA itself has been effectively crippled through vigilante action.

The Civic Association now, however, is trying to reconstruct itself. 'Re Aga', the brick making project, is operating again, a new advice office worker is being trained and the civic is continuing to fight community problems eg. rent evictions. The community council had increased rents steadily during the years that Huhudi was under threat of removal. The civic association had fought these increases because they were at times when the township was deteriorating. After the reprieve, rent increases continued, yet no real development took place. People stopped paying the increases. This worked until the civic was crippled by vigilantes. Directly after the organisation was weakened the residents of Huhudi received threats of eviction because of rent arrears. At present the civic is fighting this legally and have up to now staved off evictions. The timing of the onslaught of the vigilantes, community council and police (Galeng, head of HUCA was detained soon after his house was burnt) are very well co-ordinated, as is evident here.

Leandra

In Leandra an eastern Transvaal township the Leandra Action Committee was formed in 1983 in order to voice the people's feelings about the threatened removal of Leandra. The LAC fiercely resisted the removal, and in 1984 a reprieve was granted to 116 'illegal' households which had been threatened with removal. However in 1985 the board attempted to evict a group of people whose houses it had demolished in the process of building the new township. These people had been told to erect shacks in an empty lot on the edge of the township and a year later in October 1985 were issued with eviction notices in terms of the Squatters Act. Once again the LAC, led by Abel Nkabinde and Chief Mayisa resisted the board's move.

Chief Mayisa entered into negotiations with admin board officials to try and stop the evictions. He almost succeeded, but for the intransigence of one official who would not back down. On the eve of the evictions a community meeting was held at which a decision was taken to stay away from work the following morning in protest at the evictions.

Early that morning the chief together with a delegation of Leandra residents started to walk to the police station to inform the police of their decision and to assure them that the stay-away was a peaceful protest.

As they started out, a white cafe owner standing on the bridge overlooking the township took out his gun and fired into the township. He killed a woman who had been collecting water. This incident both angered the residents and brought the police into the township. The police fired bullets and teargas at crowds of people who were attacking the beerhall and councillors homes. Four people died, many more were arrested.

Again, it was the Action Committee that managed to calm the situation. Chief Mayisa secured an agreement that the police would leave the township in return for his undertaking to keep peace. This he did for some days, while at the same time refusing to hand over youth that the police wanted to arrest.

The Action Committee then took up the eviction issue again and after a series of meetings with the magistrate the people were left to remain where they were.

The vigilante group in Leandra emerged at around this period. It was in early December that a man with a balaclava fired shots at action committee members and shortly thereafter that Chief Mayisa was stabbed in the hand and back by a councillor wielding a screwdriver. This happened with the police looking on.

Throughout the Action Committee's existence it has seen its role as a representative of the Leandra community and has always been ready to negotiate with the authorities at all levels. This it did so successfully and with such support that it de facto made the community council a redundant body. The authorities know that only by speaking to the Action committee could they deal with issues in the township.

The LAC and a fellow UDF-affiliate, the Mpumulelo Youth congress, appear to have been particular targets of the vigilante group.

Abel Nkabine described the first vigilante attack on his home on 4 January in court papers:

'I saw a group of people coming to my house and saw that they were armed with pangas, kieries and shovels. I recognised them as members of 'Inkatha'. They approached the house and they said they wanted to kill me. Fortunately there was a group of supporters of the LAC at my house at the time. Some of the intruders approached me with pangas and the members of my group clashed with them, whereupon they left. However, Joseph Zondo a bishop from the Local Zionist Church, turned back and came towards me pulling a firearm out of his trouserband. He pointed it at me. When he saw that there were too many witnesses and LAC supporters on the scene, he eventually departed.'

Mr. Nkabinde then allegedly phoned the police. His statement to the Pretoria Supreme Court describes the response:

'To my astonishment, he (the policeman who took the call) told me that my would-be assailants had just been at the police office and had just left and that the police were aware that 'Inkatha' wanted to burn down my house and kill me. He (the policeman) said 'let them go we won't interfere.' He would not accept a charge being laid, and he furthermore refused to come out to the township and at no stage did he disclose his name to me.'

Mr. Nkabine's house was burnt to the ground on the 11 January 1986. He can identify thirteen of the vigilantes who were responsible for this act. He did not report the matter to the police as he felt they were not 'prepared, able or willing to offer me any assistance or protection'. Mr. Nkabine fled Leandra and is in hiding.

The attack on the Nkabinde home came within hours of the brutal murder of Chief Mayisa, on the afternoon of 11 January. A graphic description of the murder of Chief Mayisa was given in court papers by somebody who was forced to join the mob. Chief Mayisa's house was surrounded by approximately 100 vigilantes and burnt to the ground. Sam Zondo was allegedly again a leading assailant and was said to have instructed his fellow vigilantes to 'look out for people trying to escape from the house.' Chief Mayisa was found hiding in a disused truck 'and the group converged on him hitting him with axes and pangas', eventually hacking him to death. Joseph Zondo then allegedly instructed his younger brother to go and fetch a bakkie to take the mutilated body to the scrapyard where it was covered with petrol and set alight.

Many of the Leandra residents believe that police inaction played an indirect role in the death of Chief Mayisa. Firstly, police failed to act against the vigilantes prior to 11 January despite the fact that the identities of various vigilantes were well-established. Secondly, the police did not do anything effective to prevent the attack on Chief Mayisa's house, although they were fully aware that the attack was taking place. The entries in Leandra charge office register for the night of 11 January 1986 were seen by an attorney acting for the Mayisa family. He stated to the court that the first of two relevant entries was a record of a telephone call to the charge office from Chief Mayisa at 19h50 on 11 January. Chief Mayisa reported that his house was under attack and that he required police assistance. A Sergeant Ras of the Leandra uniform branch went to investigate the situation. The second entry recorded that a Sergeant Ras had reported on the situation to a Lieutenant Slabbert who instructed him not to enter the township but to maintain observations, the court was told.

Here we witness attempts to crush two civic organisations, HUCA and LAC which had been a persistent and representative voice of the majority of residents in their respective areas. Residents

had rejected the community councils. The police had not been able to smash their determination. The community councils now associated with vigilantes had resorted to their own private armies, with the tolerance of the authorities.

In Ekangala and Moutse the vigilante groups are the official tool of the KwaNdebele government in its attempts to crush any organisation that represents anti-homeland demands as against KwaNdebele wishes.

Ekangala

Ekangala is a new township built by the East Rand Administration Board (ERAB). It is more or less 15 km outside of Bronkhorstspuit. People with Section 10 rights in the Pretoria and East Rand area qualify for accommodation there. These are people who have been on housing waiting lists for many years, and who moved to Ekangala on the understanding that it was an area that would remain under ERAB control. Ekangala has better housing than other townships, but the cost of living there is also high. Rents vary from R100 to R200 per month excluding water and electricity. Transport costs are high because of the long distances to East Rand industrial areas. People began to move into Ekangala towards the end of 1983 and there are currently about 1000 households.

In Ekangala, the Ekangala Action Committee was formed to take up issues such as high rents and electricity and transport costs, in this new East Rand township. Through systematic negotiation with the ERAB and with Putco these costs were lowered.

Then on 9 February 1985, Dr. Viljoen, Minister of Co-operation and Development announced that Ekangala would be incorporated into KwaNdebele. The news was opposed by the majority of residents. The EAC voiced their fears that they would lose their South African citizenship, that their children would lose their section 10 rights. In addition they stated their desire to remain under the central government rather than an independent homeland.

The EAC has since come under attack by KwaNdebele vigilantes who have had the passive support of the police. Many people have fled Ekangala because they fear for their lives. People sympathetic to the EAC have been abducted by vigilantes and assaulted. Yet police have refused to take statements. One man, Mr. Dumakude was assaulted by a group that included Mr. F.K. Mahlangu of the KwaNdebele government. Mr. Dumakude was told that Ekangala was 'a place for the Ndebeles, not a place for dogs from the East Rand.'

The events on the 27th July are an example of what the people of Ekangala are up against.

On the evening of the 27th July, Peter Kose . Robert Ndala who are both leading members of the Action Committee and two other people were pushing a car in the township when they were set upon by vigilantes. All except Kose managed to escape. He was beaten by Mr. Sibiya and many other men known to have Kwandebele connections. Finally he got away and began to walk home with friends. As he neared his home the vigilantes again drove up and started to beat him. He was hit with sticks, fists and sjamboks, until he lost consciousness.

Eye-witnesses tell how a man (Mr. Sibiya) grabbed him by his foot and swung him around in the road so that his head bumped against the tar. Others hear him screaming and yet others saw him being put in the boot of a white car and being driven off. He was taken to house No. 512 in section B of the township where Mr. F.K. Mahlangu of the Kwandebele government lives. There he was again brutally assaulted. Many people including his wife heard him screaming for help but were helpless to do anything because they were scared of the assailants' guns. His wife and Mrs Ndala then went to the Bronkhorstspuit police station to ask for help. Captain Kendall to whom she was referred told her to go home and wait for him to come. She did so but he never arrived at her home. The following morning he was seen driving the the township but did not come to her and seems to have avoided people anxious to ask him about Peter Kose.

When Peter Kose finally regained consciousness he found himself in a bath full of cold water. Some people were pouring water on him and others were assaulting hm. Mr. Msiza was hitting him on his head. Captain Kendall then entered the room ordered him out of the bath and took him to Bronkhorstspuit police station. There 2 black policemen took him to a doctor who stitched his head but did not X-ray him. He was then taken back to the police station and locked in a cell.

In the meantime the vigilantes had come into the police station and laid a charge against Peter Kose. He had wanted to lay a charge of assault against them but was not able to do so until his lawyer arrived on the Monday morning and witnessed the police accepting his charge of assault against the vigilantes and particularly against Mr. Sibiya and Mr. Msiza. He was then released pending a court appearance and was admitted to Hillbrow hospital.

Moutse

The events at Moutse on the 1st of January 1986, following the incorporation of the area into Kwandebele against the 120 000 strong population's wishes demonstrate the absolute power vested in the Mbokhoto vigilantes by the Kwandebele government.

In the early hours of the morning a KNA (KwaNdebele) registered car was found outside chief Mathebe's kraal. Chief Mathebe is the head of the Moutse regional authority and is involved in the struggle against incorporation. The five occupants were armed and they threatened people, saying they had come to take over Moutse. The intruders were attacked. Four were killed. The fifth man was burned and taken to hospital.

In the early hours of the morning armed vigilantes with white crosses painted on their foreheads attacked villagers at Moteti which borders kwaNdebele. Men were beaten and abducted. Women and children fled into the bush. Many people reported stolen and destroyed property.

From 5am vigilantes attacked this border village, stole and destroyed property and abducted men who were taken to Siyabuswa community hall where they were held for over 24 hours and systematically assaulted and tortured. They were beaten and sjambokked naked or in their underclothes. The floor of the hall was covered in soap and water which caused people to slip and fall during the assaults. They were forced to sing Ndebele slogans and prevented from sleeping. At least one man is known to have died on arrival at Philadelphia Hospital after being beaten. During the course of the fighting on New Year's day about 17 vigilantes are known to have been killed. One Moutse man was killed during attempts to repulse the vigilantes.

In the statements taken by Black Sash members reporting the incident at Kgobokwane a village near to Moteti and from where residents were also abducted, people reported that the chief minister of KwaNdebele, Skosana, was present together with Mr. Ntuli, another government minister.

On the 25-26th January 1986, Mbokotho was officially launched by chief minister Skosana. Among the 25 people appointed to its executive were Ntuli the Minister of the Interior and Speaker of the KwaNdebele house of assembly as well as businessmen. The powers of Mbokotho are vast. They can interfere with a person in police custody, interfere in a domestic quarrel between a man and his wife, as well as any community matters.

Conclusion

What has emerged in all these areas, as a result of the vigilante actions, is a state of complete lawlessness. At the time of the onslaught in these areas, victims tried to respond in a legal way. At first interdicts were sought, people laid or attempted to lay charges, etc. However, the lack of police action led to the communities feeling vulnerable and defenceless. People began to feel they could not rely on any form of outside

protection and therefore had to protect themselves.

Thus in Huhudi, a girl who pointed out where 'MR Ref' was hiding, was later burnt. In Leandra, one of the vigilantes that attacked mourners at chief Mayisa's funeral, was killed.

At the TRAC/EDA conference, people agonised about how to deal with vigilantes. Some comments were:

- Fighting back is committing suicide. Facing vigilantes means facing them, police and hippos.

- Not fighting back is also committing suicide. How long can we run?

- The vigilantes are the cannon fodder of the system. They are used by the police and community councils and should be 'won over'.

Thus the people of communities that were committed to peaceful democratic organisation have in some cases been forced against their wishes into violent responses in order to protect themselves. The alternative is to flee until such time as a 'lawful' situation again exists. As for those people who have died in the course of vigilante attacks, Mr. Ref, Chief Mayisa, Thomas Setseing, to name but a few, one can only hope that the constructive ideals they and their organisations stood for are able to endure the state of anarchy that has emerged as a result of the vigilantes.

There are indications that the state is now seeking to make vigilantes official 'peace-keeping' groups. In Ekangala we see the Ekangala Representative Committee (the group set up the administration board in opposition to the Action Committee) has vigilantes on it. In many areas, former vigilantes have been employed as Development Board police. In Potchefstroom, young thugs, employed as Board police have made the township akin to the wild west - a young board policeman entered a shebeen, asked for a beer, found it to be warm, and pulled out his gun and shot at it as well as at the people present. If this is the type of people that are being officially armed, then we can only expect to hear more stories of innocent people being killed.

NOTE: Much of the factual information in this paper appears in a forthcoming publication on vigilantes produced by the Centre for Applied Legal Studies at the University of the Witwatersrand and written by Nicholas Haysom. Contributions to the book have been made by lawyers and fieldworkers involved in the issue.