The Boipatong massacre and South Africa's democratic transition

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Cover photo: Boipatong 1992. Residents stand round a fire in the early morning after spending the night keeping watch for attacks following the massacre [photo by Graeme Williams / South]

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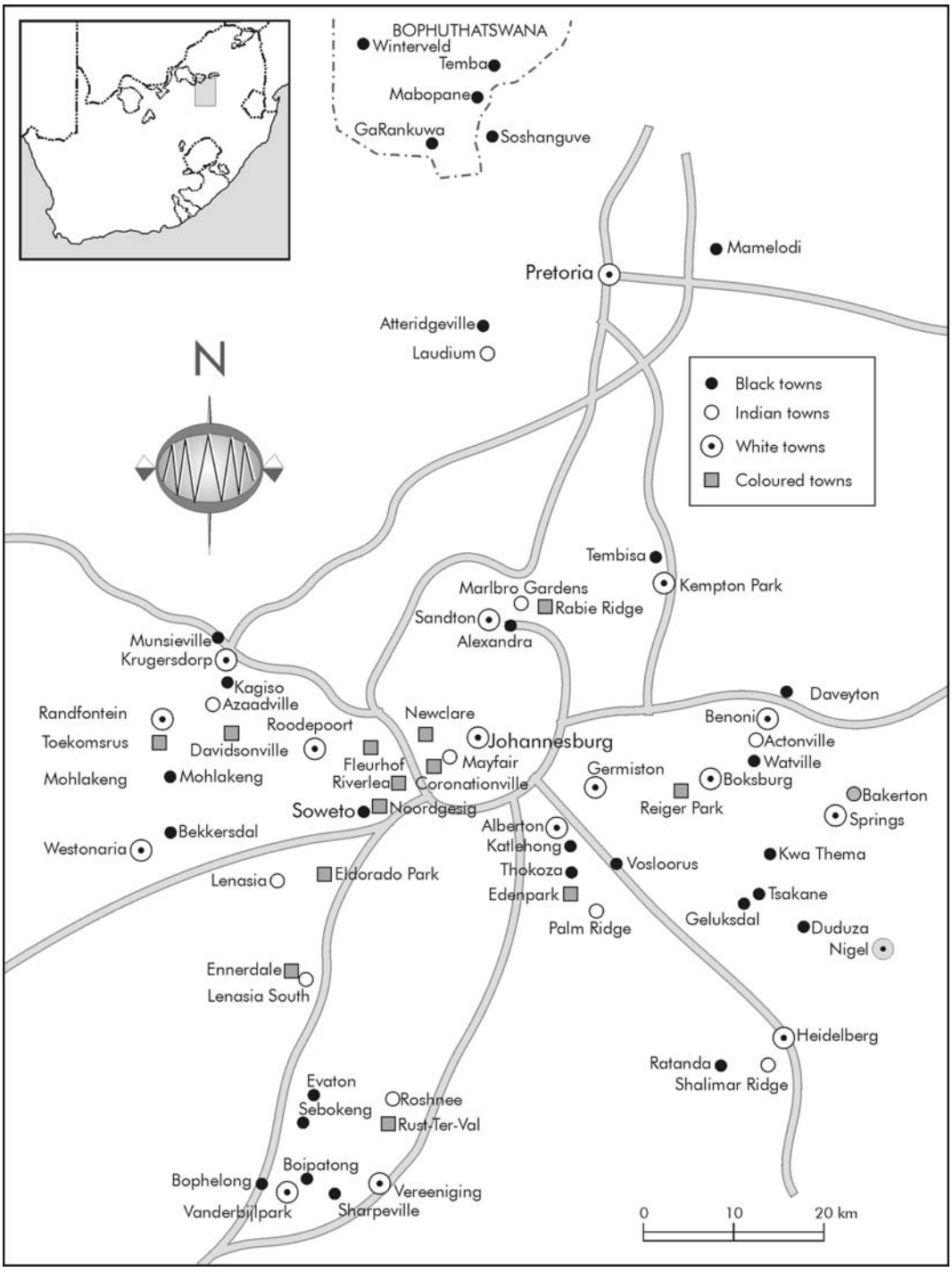
Abbreviations and acronyms

ANC	African National Congress
ANC NEC	ANC National Executive Committee
APLA	Azanian People's Liberation Army
AZAPO	Azanian People's Organisation
BBC	British Broadcasting Corporation
CCB	Civil Cooperation Bureau
CIS	Crime Intelligence Service
CODESA	Convention for a Democratic South Africa
COSATU	Congress of South African Trade Unions
CP	Conservative Party
DP	Democratic Party
EC	European Community
HRC	Human Rights Commission
IBI	Independent Board of Inquiry
IFP	Inkatha Freedom Party
ISU	Internal Stability Unit
KZP	KwaZulu Police
MK	Umkhonto we Sizwe (ANC armed wing)
NP	National Party
NUM	National Union of Mineworkers
OAU	Organisation of African Unity
PAC	Pan Africanist Congress
PSV	Project for the Study of Violence
SACP	South African Communist Party
SADF	South African Defence Force
SAP	South African Police
SAPA	South African Press Association
SDU	Self-Defence Unit
SWAPO	South West African People's Organisation
TRC	Truth and Reconciliation Commission
UDF	United Democratic Front
UN	United Nations
UNOMSA	United Nations Observer Mission in South Africa

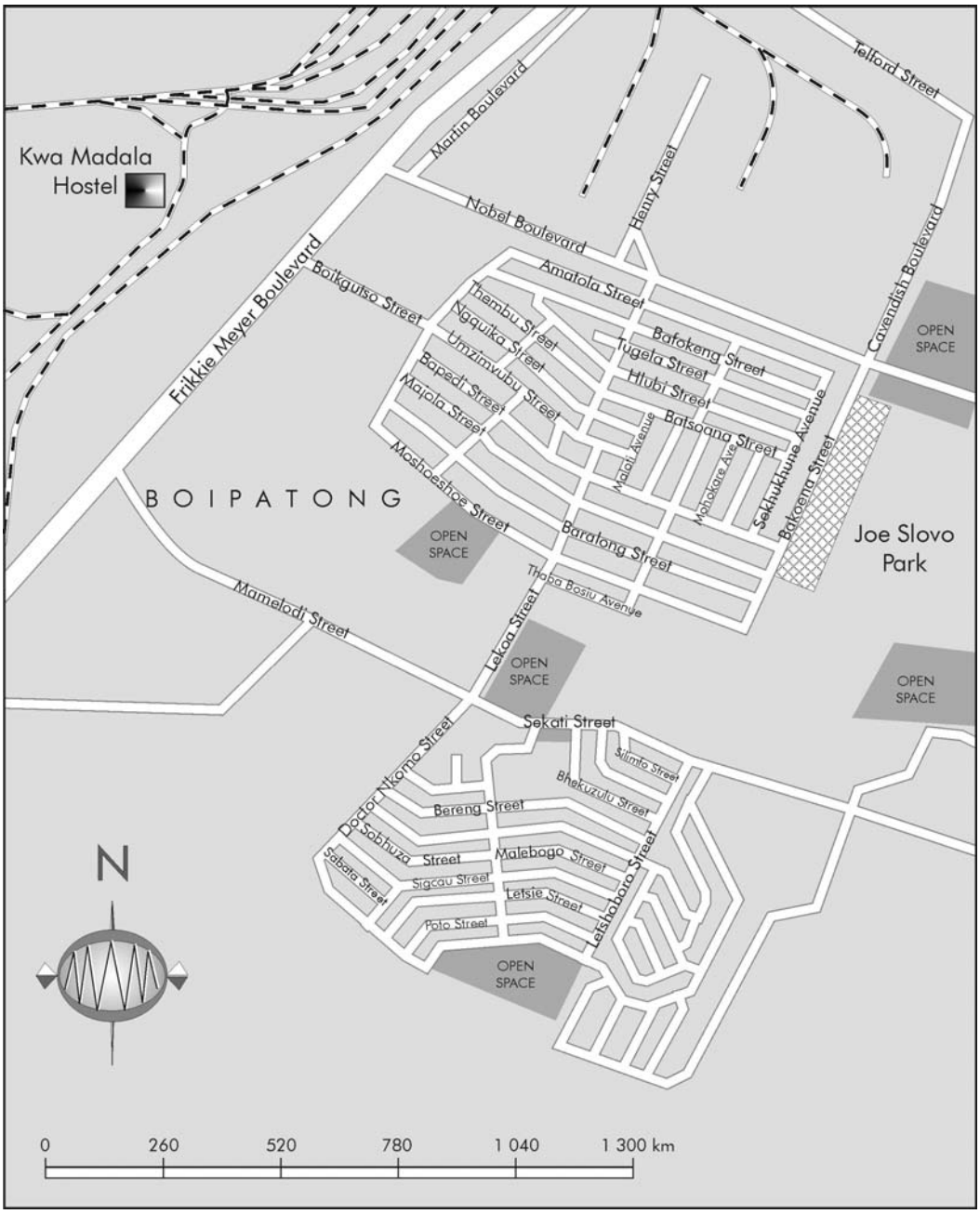
UWUSA	United Workers' Union of South Africa
VCC	Vaal Council of Churches
WPM	World Preservatist Movement
ZIPRA	Zimbabwe People's Revolutionary Army
ZAPU	Zimbabwean African People's Union

Map 1: The Pretoria Witwatersrand Vereeniging region, 1990



Drawn by Anne Westoby

Map 2: Boipatong, 1990



Drawn by Anne Westoby

1

Introduction

> On the night of June 17, a posse of armed Zulus crept out of a migrant workers' hostel near a township called Boipatong, south of Johannesburg, and in an orgy of slaughter hacked, stabbed, and shot thirty-eight people to death in their homes. Among the dead were a nine-month-old baby, a child of four, and twenty-four women, one of them pregnant. After the massacre, residents refused to give statements to the police because they were convinced the authorities were involved.
>
> Allister Sparks, *Tomorrow is Another Country*, 1994[1]

Events in the dusty hitherto obscure Vaal township of Boipatong on the night of 17 June 1992 have been widely recognised as a watershed moment in South Africa's negotiated transition.[2] The Boipatong massacre sparked popular outrage unprecedented in the transition period, beginning in February 1990 with the unbanning of the African National Congress (ANC) and release of its leader Nelson Mandela and ending with the country's first democratic elections in April 1994. The outcry over the massacre was overtly political. Boipatong was predominantly ANC-aligned. Its attackers came from KwaMadala Hostel, a Vaal stronghold of the Inkatha Freedom Party (IFP), a predominantly Zulu political movement opposed to the ANC since the 1980s. Evidence of prior IFP-state

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1 Allister Sparks, *Tomorrow is Another Country: The Inside Story of South Africa's Negotiated Revolution*, Struik Book Distributors (Sandton, 1994).

2 Adrian Guelke, 'Political Violence and the South African Transition', *Irish Studies in International Affairs*, 4 (1993), p. 61; Martin J. Murray, *The Revolution Deferred: The Painful Birth of Post-Apartheid South Africa*, Verso (London, 1994), p. 182; Timothy D. Sisk, *Democratisation in South Africa: The Elusive Social Contract*, Princeton University Press (New Jersey, 1995), pp. 213-215; Rupert Taylor and Mark Shaw, 'The Dying Days of Apartheid' in David R. Howarth and Aletta Norval (eds), *South Africa in Transition: New Theoretical Perspectives*, Macmillan (London, 1998), p. 23; Stephen Ellis, 'The Historical Significance of South Africa's Third Force', *Journal of Southern African Studies*, 24, 2 (1998), pp. 289-290; Max Coleman (ed.), *A Crime Against Humanity: Analysing the Repression of the Apartheid State*, David Philip (Johannesburg, 1998); Richard A. Wilson, *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State*, Cambridge University Press (Cambridge, 2001), p. 67; Daryl Glaser, *Politics and Society in South Africa*, Sage Publications (London, 2001), p. 213; Philip Bonner and Noor Nieftagodien, 'The Truth and Reconciliation Commission and the Pursuit of "Social Truth": The Case of Kathorus', in Deborah Posel and Graeme Simpson (eds) *Commissioning the Past: Understanding South Africa's Truth and Reconciliation Commission*, Witwatersrand University Press (Johannesburg, 2002), p. 194.

collusion in the Vaal and elsewhere, as well as an array of allegations of police complicity in the Boipatong massacre led to local outrage, national and international reproach. After playing a key part in raising this chorus of censure, the ANC suspended negotiations, already deadlocked over power-sharing with minority groups since May. President F.W. de Klerk, who had sought to secure power-sharing in a democracy with extensive minority powers, whilst at the same time pursuing the glittering prize of majority support, now found himself under considerable pressure. As unrest and alarm escalated, he was forced into submission. His capitulation was codified in the September Record of Understanding, an ANC-government bilateral, which paved the way for the ANC to take power by majority rule in April 1994.

While the Boipatong massacre is commonly regarded as a key transitional moment, there is almost equal unanimity over the question of security force involvement in the massacre. Cawthra writes that security forces 'covered themselves in infamy by carrying out a massacre of ANC supporters at Boipatong.'[3] Citing the Truth and Reconciliation Commission's (TRC) Report, Nelson Mandela's authorised biographer Anthony Sampson states that 'police clearly colluded' in the Boipatong massacre.[4] Stephen Ellis finds it 'most probable' that the massacre was 'organised by one or other of the state security forces'.[5] If so, 'it was clearly intended as a provocation to the ANC', which had embarked on a mass action campaign after negotiations deadlocked. According to Taylor & Shaw, the massacre solidified a growing realisation among ANC leaders that the country's 'violence was a direct result of the state's political agenda'.[6]

More particularly, the Boipatong massacre is widely regarded as evidence of a *third force*, which comprised elements within the state security system working covertly and illegally to destabilise the ANC and its allies. Bonner & Nieftagodien state that Boipatong residents were attacked by 'IFP-aligned KwaMadala hostel dwellers and the third force'.[7] Wilson goes so far as to argue that '[m]uch of the validity of the Third Force theory rests upon the involvement of the security forces in planning and participating in the random attack on Boipatong residents.'[8] Much has been made of the apparent randomness of the massacre. Murray writes that Boipatong residents were 'randomly slaughtered' by IFP attackers 'assisted by elements in the security forces'.[9] Discussing violence in

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3 Gavin Cawthra, *Policing South Africa: The South African Police and the Transition from Apartheid*, David Philip (Johannesburg, 1993), p. 1.
4 Anthony Sampson, *Mandela, the Authorized Biography*, Jonathan Ball (Jeppeston, 1999).
5 Ellis, 'The Historical Significance of South Africa's Third Force', p. 289.
6 Taylor and Shaw, 'The Dying Days of Apartheid', p. 23.
7 Bonner and Nieftagodien, 'The Truth and Reconciliation Commission and the Pursuit of "Social Truth": The Case of Kathorus', p. 194.
8 Wilson, *The Politics of Truth and Reconciliation in South Africa*, p. 63.
9 Murray, *The Revolution Deferred*, p. 182.

South Africa's transition, Bennun argues that by 'attacking individuals at random within a community known to support a particular organisation, a form of collective punishment is imposed and people are terrorised into avoiding any support or contact with that which brings them such misery'.[10] As Taylor & Shaw put it, massacres such as that of Boipatong indicate 'a calculated pattern of terror, where the very randomness of terror is part of the overall strategy.'[11]

The prevailing conviction that a third force was complicit in Boipatong is tinged with doubt. Some researchers discuss the political importance of the massacre without pronouncing upon the question of state complicity.[12] Seegers mentions that the Boipatong massacre and the later Bisho massacre would eventually bring 'negotiators back to the table in shame'.[13] Adam & Moodley allude to the 'much-exploited tragic Boipatong massacre'.[14] More recently, Jeffery's *People's War* goes against the grain of scholarship by weighing in from the other extreme. Jeffery attributes dominant understandings of Boipatong to a 'false theory of violence', emanating from the ANC as part of a highly propagandised and violent 'People's War', waged with great success against the state and Inkatha since the early 1980s and culminating with ANC ascendancy during the transition.[15]

This book is not concerned with proving or disproving state complicity in the Boipatong massacre. Rather, it aims to show that charges of state complicity were highly contentious at the time that they were made and that they remain so. While evidence of state complicity in the massacre as well as security force collaboration with Inkatha in the Vaal indicates that further investigation is needed to uncover the event's hidden truths, this evidence remains decidedly inconclusive. It is submitted that the tendency to overlook this uncertainty is attributable to a political context, progressively more prominent after the massacre, in which the ANC came to enjoy persuasive moral ascendancy over government. Despite its reformism, de Klerk's government came increasingly to resemble the Apartheid regime from which it had sprung. Popular beliefs about the Boipatong massacre spoke to a context in which the white minority government had sought to cling to power whilst benefitting from the same underhand security force methods that sustained it before the transition period. Indeed,

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[10] Mervyn E. Bennun, 'Boipatong and After: Reflections on the Politics of Violence in South Africa', *International Journal of the Sociology of Law*, 21, (1993), p. 63.

[11] Taylor and Shaw, 'The Dying Days of Apartheid', p. 20.

[12] Guelke, 'Political Violence and the South African Transition', p. 61; Sisk, *Democratisation in South Africa*, pp. 213-215;

[13] Annette Seegers, *The Military in the Making of Modern South Africa*, Tauris Academic Studies (London, 1996), p. 276.

[14] Heribert Adam and Kogila Moodley, *The Negotiated Revolution: Society and Politics in Post-Apartheid South Africa*, Jonathan Ball (Johannesburg, 1993), p. 101.

[15] Anthea Jeffery, *People's War*, Jonathan Ball (Johannesburg, 2010), pp. xxxiii-xxxv.

perhaps because of the murkiness of its waters, the Boipatong massacre was seized upon as a symbol of the period's inequities. In consequence, 'Boipatong' amassed an iconic status that drew focus away from its own forensic truths.

In considering the Boipatong massacre as an iconic moment of the South African transition, this thesis explores the character of South Africa's transition. In simple terms, the transition was a process for the democratization of South Africa, a shift from minority to majority rule. In discursive terms,[16] and as Laclau might put it, the transition arose through a *dislocation* of social structure.[17] This dislocation was heralded in February 1990 with de Klerk's unbanning of the ANC, along with a string of other reforms. While its causes were manifold and the topic of continued debate,[18] the dawn of the transition saw the Apartheid era's discursive configurations come apart at the seams. In a new context of negotiation and reform, integral meanings were lost. The National Party was no longer the Apartheid government and the ANC was no longer a revolutionary movement. Nor was it clear what they were becoming. This common experience of floating obscurity is the essence of dislocation. As Howarth puts it, following Laclau, subjects in such a state 'are literally *compelled* to become collective political agents intent on reconstituting a new order within which identities can be stabilised.'[19] A dialectical relationship is present in social transformations between two forms of subjectivity, one which makes decisions *about* the structure and one which makes decisions *within* the structure.[20] Those subjectivities that create the rules of a new order make the former decisions, but their influence depends on the subjectivities that make the latter, on those that are *interpellated*[21] into the discourses they posit. The Boipatong massacre was a moment through

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[16] For an introductory discussion of discourse theory, see David R. Howarth and Yannis Stavrakakis, 'Introducing discourse theory and political analysis', in David R. Howarth, Aletta Norval and Yannis Stavrakakis (eds), *Discourse Theory and Political Analysis: Identities, Hegemonies and Social Change*, Manchester University Press (Manchester, 2000), pp. 1-23.

[17] Ernesto Laclau, *New Reflections on the Revolution of Our Time*, Verso (London, 1990), pp. 39-40.

[18] For discussion on the origins of the transition period, see Adam and Moodley, *The Negotiated Revolution*, pp. 39-58; Sisk, *Democratization in South Africa*, pp. 56-87; Anthony Butler, *Democracy and Apartheid: Political Theory, Comparative Politics and the Modern South African State*, Macmillan Press (London, 1998), pp. 86-104; Adrian Guelke, *South Africa in Transition: The Misunderstood Miracle*, I. B. Tauris (London, 1999), pp. 1-44, 181-200; Glaser, *Politics and Society in South Africa*, pp. 202-212; Gretchen Bauer and Scott D. Taylor, *Politics in Southern Africa: State and Society in Transition*, Lynne Rienner Publishers (London, 2005), pp. 245-248.

[19] David R. Howarth, 'Paradigms Gained? A Critique of Theories and Explanations of Democratic Transition in South Africa', in David R. Howarth and Aletta Norval (eds), *South Africa in Transition: New Theoretical Perspectives*, Macmillan (London, 1998), p. 201.

[20] *Ibid*.

[21] Althusser's term 'interpellation' provides a useful supplement to the discussion of social transformation. Interpellation refers to drawing subjects into an imagined designation, which they would not have otherwise imagined themselves to be in. Louis Althusser, 'Ideology and the State', in *Lenin and Philosophy*, NLB (London, 1971), p. 162.

which new rules were successfully created. The study of this moment provides a telling picture of the discursive struggles that animated the transition.

A further aim of this thesis is to consider contemporary knowledge of the Boipatong massacre in light of the power struggles that defined it and which it defined. This task involves the unearthing and analysis of a composite layering of discourses which addressed the massacre. The Boipatong massacre first took on meaning with its enactment, a complex of diverse interactions amongst the attackers, those they targeted, and various observers. Far from being random, these interactions were rooted in a history of localised conflict. They created a ripple effect as interpretations of the event were transmitted outward across a range of media to the rest of the country and the world. Competing narratives, with different interested parties as their authors, constructed different protagonists and antagonists out of the same historical moment. In doing so, they advanced discrepant contentions about the forensic truths that lay behind the massacre, truths that remain contentious. They tended to address the same audiences, people whose actions might help change or sustain the power differentials that defined South Africa's political landscape. And they constantly addressed each other. In the months after the Boipatong massacre, popular understandings of the event evolved as the meaning of 'Boipatong' was repeatedly contested. The conviction that government was somehow complicit remained hegemonic. The massacre resonated as a symbol of government illegitimacy, providing a crucial asset to the ANC during negotiations. Contestations over the meaning of the Boipatong massacre have continued into the post-Apartheid era. While the ANC and its allies have repeatedly sought to maintain the massacre's meaningful contribution to the new national narrative, other individuals and groups have moved to recreate the meaning of the event. The study of the Boipatong massacre is inevitably a study of these processes and their tensions.

In exploring these contestations, I draw on Luise White's *The Assassination of Herbert Chitepo* which analyses a series of narrative texts pronouncing upon the murder of a prominent Zimbabwean nationalist in 1975. These texts span more than a decade, yet the true identity of the assassins remains contested. White argues that to 'look closely at any event requires looking carefully at the texts it generates, both days and years after the event.'[22] Significantly, her work avoids judging the veracity of each text. Instead, White focuses on the construction of different texts, their relationships to each other, and their effects on Zimbabwean politics. The notion of politics as performance is central to White's analysis. Texts are 'scripted' and 'staged' for certain audiences, thereby coming to bear

[22] Luise White, *The Assassination of Herbert Chitepo: Texts and Politics in Zimbabwe*, Indiana University Press (Bloomington, 2003), p. 3.

upon power relations.[23] Whilst White's approach informs the analysis that follows, there are also important departures. Firstly, White's distinction between authors and audiences is too dichotomous for the purposes of this study. Her focus is on commissions, letters, confessions and political memoirs, where a top-down dichotomy seems workable. The case of Boipatong reveals a greater fluidity between decisions *about* structure and decisions *within* structure. The stage is lowered into the surrounding crowd. Party leaders are led by their followers. Authors are part of the audience. Secondly, this study does not hold back from judging the veracity of different contentions. The analysis of meaning and its contestation is grounded in speculation about hard truths.

The first chapter provides the context and an outline of politics on the eve of the Boipatong massacre, thus describing the political setting that would allow the massacre to take on the meanings and significance that it has. Chapters 2 and 3 plot the ways in which the Boipatong massacre changed the course of negotiations. In doing so, they show how the massacre re-shaped the political context in which it arose. Chapter 2 considers the actions of government, the ANC and its allies, other public figures, and ANC-supporters on the ground, particularly residents of Boipatong, in the days immediately after the massacre. Chapter 3 picks up five days after the massacre, on the day the ANC suspended negotiations. It examines the new demands put to government by the ANC and the international reaction. It also charts the country's steady decline into a period of crisis. The final chapter explores how the meaning of the Boipatong massacre has been repeatedly contested in the course of investigations, hearings and reports that have been conducted into the event. The period covered in this chapter begins in the days after the massacre and ends in late 2000 with the TRC's decision on the granting of amnesties for the perpetration of the massacre. The conclusion points to the ongoing significance of the Boipatong massacre for South Africa's fledgling democracy.

[23] White, *The Assassination of Herbert Chitepo*, p. 10.

2

Political context: 2nd February 1990 – 16th June 1992

> The prospect of negotiations has already prompted a renewed scramble for political territory, especially by Inkatha, which in mid-1990 began to construct an organized following among Transvaal migrant hostel dwellers well beyond its Natal base. ... As the era of negotiated transition begins, South African politics have never been so complex or so violent.
>
> Tom Lodge, 1991[1]

The annual opening of Parliament on 2 February 1990 marked a dramatic shift in South Africa's political landscape. President de Klerk gave his address amid speculation that significant reform was on the cards, not least of all the release of ANC leader Nelson Mandela. However, few anticipated the extent of the reforms he would announce. As several thousand people assembled outside to demonstrate against his undemocratic rule, de Klerk lifted the ban on the ANC, its military wing Umkhonto we Sizwe (MK), the Pan Africanist Congress (PAC), and the South African Communist Party (SACP). Those imprisoned for belonging to the ANC, MK, the PAC and the SACP would be released. The nationwide state of emergency was lifted, with the exception of Natal. Emergency media regulations limiting coverage of black political activities were lifted. Detention without trial was limited to six months, with provision for legal representation and medical treatment. A moratorium was placed on hangings. The Separate Amenities Act of 1953, which maintained the segregation of public facilities, was repealed. Mandela would be released 'unconditionally' and 'without delay'. He was expected to play an important part in a new era of negotiations in which black nationalists need not resort to violence. 'Walk through the door and take your place at the negotiating table together with the government. The time for negotiation has arrived.'[2]

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1 Tom Lodge, 'Rebellion: The Turning of the Tide', in Tom Lodge and Bill Nasson (eds), *All, Here, and Now: Black Politics in South Africa in the 1980s*, David Phillip (Claremont, 1991), p. 204.

2 David Ottoway, *Chained Together: Mandela, de Klerk, and the Struggle to Remake South Africa*, Times Books (New York, 1993), p. 78.

As news of de Klerk's speech filtered through, the demonstration outside Parliament came to a standstill and quietly dispersed.[3] De Klerk's address heralded the beginning of what is popularly remembered as the South African transition. The political playing fields were significantly levelled, allowing for national politics to enter a period of negotiation. However, these developments took place against the backdrop of escalating political violence, which would resonate increasingly with a lapse of negotiations in 1992. This contextualising chapter begins with an outline of the political violence. Specific attention is given to its origins, particularly in the Vaal, and to its different relationships with the dominant political parties. The outline is followed by a brief account of the 1992 breakdown in negotiations, and the subsequent return of national politics to mass politics. At this juncture, national politics and localised political violence became increasingly entwined, allowing for an event such as the Boipatong massacre to have exceptional impact.

Political violence during the South African transition

Mandela's release brought widespread relief, a feeling that the freedom of the struggle's icon marked the culmination and victory of the struggle. Yet the ensuing period of transition, till South Africa's first democratic elections in 1994, was a time of unprecedented political violence. As negotiations strained towards a new constitutional dispensation, 16 000 people lost their lives in politically-related incidents occurring mostly in KwaZulu-Natal and the Transvaal.[4] Indeed, Apartheid's most violent period came when conditions were expected to improve.

The unbanning of exile groups signalled the prospect of a new political order, setting in motion a plethora of forces that vied to shape it. As an exile movement, the ANC had operated outside South Africa as a proto-state structure.[5] Within South Africa, the organization existed as a popular symbol of resistance with minimal structural presence. Now unbanned, the ANC embarked on a process of re-insertion. Its advances were met with opposition from the Zulu cultural movement Inkatha. Founded in 1975, Inkatha perpetuated a largely European adumbration of Zulu-ness, drawing in groupings more disparate than those who would have considered themselves Zulu in pre-colonial times.[6] That the majority

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3 *Ibid.*

4 Rupert Taylor and Mark Shaw, 'The Dying Days of Apartheid', in D.R. Howarth and A. Norval (eds), *South Africa in Transition: New Theoretical Perspectives*, St. Martin's Press (New York, 1998), p. 13.

5 Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, Princeton University Press (Princeton, 1996), p. 273.

6 Patrick Harries, 'Imagery, Symbolism and Tradition in a South African Bantustan: Mangosuthu Buthelezi, Inkatha, and Zulu History', *History and Theory*, Vol. 32. No. 4. (December 1993), pp. 105-115.

of ANC leaders were Xhosa-speaking served to invigorate its Zulu nationalism.[7] Inkatha offered its followers the mythical solace of an idealised rural past and a defiant Zulu warrior identity. Even so, the organisation complied with Apartheid. Its leader was Mangosuthu Buthelezi, Chief Minister of the KwaZulu homeland since 1976.

While ANC-Inkatha hostilities existed in KwaZulu-Natal for much of the 1980s, the early 1990s saw this violence intensify and spread to the Transvaal. Violence first erupted on the Vaal, where competition over employment stoked political enmities. While political leaning influenced employability, a more essential aspect was housing.[8] With the outbreak of violence, the control of migrant hostels became pivotal. After Vaal rivalries came to a head in early July 1990,[9] Inkatha declared itself a political party, the Inkatha Freedom Party (IFP), and set about galvanising militant support in Transvaal hostels. Fighting first broke out at the IFP's inaugural Transvaal rally, held in Sebokeng on 22 July. While it is difficult to say which side sparked the outbreak,[10] the event was clearly indicative of Vaal South African Police (SAP) partialities. Police escorted rally-goers marching together back to the local Sebokeng and KwaMazisa hostels. A large crowd of Xhosa hostel residents reinforced by township youth were waiting for them on arrival. The first casualty was Warrant Officer Petrus Jooste, struck by a sharpened steel pole thrown by a Xhosa steelworker.[11] Subsequent struggles over control of the hostels led to substantial loss of life and the eventual exodus of Zulus to KwaMadala (Place of the Old), a dilapidated

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[7] Grant Farred, 'Unity and Difference in Black South Africa', *Social Text*, No. 31/32, Third World and Post-Colonial Issues. (1992), p. 225.

[8] Inkatha's union wing, the United Workers' Union of South Africa (UWUSA), distinguished itself from ANC-aligned unions with its pro-capitalist, anti-sanctions stance. Its members were less inclined to demand higher wages. The management of Iscor, a big employer in the area, was known to prefer Inkatha workers. According to Vaal ANC leader Ernest Sotsu, Inkatha sought to establish 'an IFP stronghold and bring people here from KwaZulu to take the jobs of those they drove out of the hostels, and give Inkatha a constituency.' See Daniel Reed, *Beloved Country: South Africa's Silent Wars*, Jonathan Ball (Johannesburg, 1994), pp. 34 and 62.

[9] The Tripartite Alliance, comprising the ANC, the Congress of South African Trade Unions (COSATU), and the South African Communist Party (SACP), held a stay-way to protest violence waged against it in KwaZulu-Natal by Inkatha and the KwaZulu Police (KZP). At the stay-away's opening rally in the Vaal on July 2, township 'comrades' (ANC-supporting youth) were exhorted to purge the region of Inkatha. Several houses belonging to Inkatha members were subsequently burnt down. See Phil Bonner and Noor Nieftagodien, 'The Truth and Reconciliation Commission and the Pursuit of "Social Truth": The Case of Kathorus' in Deborah Posel and Graeme Simpson (eds) *Commissioning the Past: Understanding South Africa's Truth and Reconciliation Commission*, Witwatersrand University Press (Johannesburg, 2002), pp. 184-185, and Reed, *Beloved Country: South Africa's Silent Wars*, p. 33.

[10] COSATU intelligence in local factories had warned that the rally was being planned with violent intentions. Comrades attempted to offset the violence they anticipated with their own belligerence. An IFP member was shot dead on his way to the rally. Rally organiser Bhula Khubeka's house was set alight. Comrades stoned those who took part in the rally and were waiting for a fight at the venue entrance. Police drove them off with teargas. *Ibid*, pp. 33-34.

[11] *Ibid*, p. 34.

Iscor-owned complex last used for housing in 1978. Located on the periphery of an Iscor refinery, KwaMadala also neighboured the township of Boipatong (Place of Safety). After July 22, violence spread outward across the Transvaal Reef, particularly to the East Rand where earlier disputes between competing migrant and urban taxi operators evolved into fierce IFP-ANC conflict.[12]

As police actions on 22 July 1990 suggest, Inkatha's influence in the early 1990s drew considerable vigour from its relationship with the state. Taylor and Shaw argue that de Klerk unbanned the ANC with a winning plan in mind, 'a twin-track negotiations and destabilisation strategy'.[13] The National Party (NP) would negotiate for a compromise agreement committed to power-sharing rather than majority rule, whilst covertly attacking and undermining the ANC. With a sufficiently protracted transition, it might have time to form a right-of-centre alliance, with Inkatha, several minor parties and conservative homeland leaders, which could beat the ANC at the polls of a democratic election.[14]

State support for Inkatha was exposed with the July 1991 'Inkathagate Scandal'. After government documents were leaked to the *Weekly Mail*, it was disclosed that the SAP had secretly funded Inkatha's union wing UWUSA (to the tune of R1.5 million), as well as rallies in November 1989 and March 1990 (R250,000).[15] However, Inkatha was more than a political ally; government had also nurtured it as a counter-revolutionary surrogate. The *Weekly Mail* added that Inkatha hit squads had received training in 1986 at a South African Defence Force (SADF) base on the Caprivi Strip in northern Namibia. The State Security Council had taken a decision, codenamed Operation Marion, to set up a para-military unit that would ensure Inkatha could put an end to ANC-Inkatha conflict in KwaZulu-Natal.[16] 200 Inkatha members were trained as paramilitaries. While de Klerk claimed that he had not known about Inkathagate, the scandal forced him to remove Defence Minister Magnus Malan and Law and Order Minister Adriaan Vlok from their positions. They nevertheless remained in Cabinet. In Waldmeir's opinion, somewhat less radical than Taylor and Shaw's, de Klerk's disposition had been one of 'negligent ignorance'.[17]

De Klerk was reluctant to rein in developments that preceded his presidency. The mid-1980s had seen the rise of a revolutionary war within South Africa. In

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[12] Bonner and Nieftagodien, 'The Truth and Reconciliation Commission and the Pursuit of "Social Truth": The Case of Kathorus', p. 179.

[13] Taylor and Shaw, 'The Dying Days of Apartheid', p. 17.

[14] Stephen Ellis, 'The Historical Significance of South Africa's Third Force', *Journal of Southern African Studies*, 24, 2 (1998), p. 283.

[15] Max Coleman, *A Crime Against Humanity: Analysing the Repression of the Apartheid State*, David Phillip (Johannesburg, 1998), p. 195.

[16] Taylor and Shaw, 'The Dying Days of Apartheid', p. 18.

[17] Patti Waldmeir, *Anatomy of a Miracle: The End of Apartheid and the Birth of the New South Africa*, Viking (London, 1997), p. 186, in Ellis, 'The Historical Significance of South Africa's Third Force', p. 287.

September 1984, rent boycotts and other protests broke out along the Vaal and quickly fanned outward. The ANC-aligned United Democratic Front (UDF) gave national focus to these local conflicts, while the ANC called upon South Africans to make the country 'ungovernable'.[18] Two states of emergency were declared, and security forces were mobilised extensively to crush the popular insurrection. It was in this climate that government first conceived of a *third force*, what Ellis terms 'an organised network of illegal repression'.[19] Predictably, the minutes of a 1986 State Security Council meeting were more subtle,

> The third force must be mobile with a well-trained capacity to effectively wipe out terrorists. It must be prepared to be unpopular and even feared, without marring the image of the Defence Force or the police. The security forces must work together in the setting up of the third force in order that those who undermine the state are countered with their own methods.[20]

A kingpin in the third force initiative was the Civil Cooperation Bureau (CCB), set up as a front company in 1986 by Special Forces with the approval of Magnus Malan. CCB activities were exposed after former police captain Dirk Coetzee came forward in 1989 with information about covert 'death squad' initiatives concealed within the security force bureaucracy.[21] Bowing to pressure in 1990, de Klerk appointed the Harms Commission, a toothless probe which ended without indictments despite stumbling across evidence of the CCB. The CCB had a list of 200 targets, including Nelson Mandela, trade union leaders, journalists and clergy. It had over 150 personnel, more than 40 covert cells established across the country, and spent R27 million annually.[22] In response to the Commission, the ANC sent government an open letter in April 1991 threatening to suspend negotiations if security forces were not dealt with. As Seegers writes,

> The ANC was moved by almost daily reports of the appearances of aggressive groups, armed with automatic weapons, who cut a path of destruction on trains, in rural areas as much as townships, and even in inner cities, then seemed to vanish into thin air. The pattern was not all that different from the state-supported violence of the 1980s; hence the suspicions.[23]

A compelling illustration of continuity between state-sponsored violence in the 1980s and political violence in the 1990s was the SAP C-10 counter-

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18 Ellis, 'The Historical Significance of South Africa's Third Force', p. 272.

19 *Ibid*.

20 Special Hearing of the Truth and Reconciliation Commission on the Caprivi Trainees, August 1997 in Jacques Pauw, *Into the Heart of Darkness: Confessions of Apartheid's Assassins*, Jonathan Ball (Johannesburg, 1997), p. 127.

21 *Argus*, 31 January 1991 in Martin J. Murray, *The Revolution Deferred: The Painful Birth of Post-Apartheid South Africa*, Verso (London, 1994), pp. 83-84.

22 *Sunday Times*, 13 January 1991 in Murray, *The Revolution Deferred*, p. 84.

23 Annette Seegers, *The Military in the Making of Modern South Africa*, Tauris Academic Studies (London, 1996), p. 273.

insurgency unit, based at Vlakplaas outside Pretoria. Founded in 1979, C-10's rise to infamy began in earnest after 1985 when it was put under the command of Eugene de Kock. C-10 was composed mostly of *askaris*, 'turned' guerrillas from MK, the PAC, ZIPRA (armed wing of ZAPU, the Zimbabwe African People's Union), the South West African People's Organisation (SWAPO), and other guerrilla armies the SADF had encountered in southern Africa.[24] '[*A*]*skaris* were well-suited to the grisliest acts of war' according to Ellis, 'Battle hardened, psychologically and socially divorced from their communities of origin and compromised by their treachery'.[25] C-10 thrived as a 'general-purpose' death-squad in the mid-1980s. The rise of vigilantism during this period saw a heterogeneous composition of groups with vested interest in the status quo, including homeland despots, town councillors, and a small propertied township petty bourgeoisie, turn upon their own communities.[26] In this climate, state-sponsored counter-revolutionary activity could flourish under the guise of so-called 'black-on-black' violence. After the CCB exposé, C-10 was ostensibly reorganised and redeployed to investigate the illegal weapons trade. Under this new facade, de Kock and his associates were able to participate in and profit from the trade.[27] In 1994, the Goldstone Commission uncovered 'a horrible network of criminal activity' involved in gun-running, hit-squad activity on trains, and hostel-related violence.[28] Two of de Kock's closest Vlakplaas colleagues had implicated him along with IFP leaders Themba Khoza and Victor Ndlovu, two police generals, and security force members from C-10, East Rand Murder and Robbery, the Durban Security Branch, and the KwaZulu Police.

In July 1990, de Kock had begun working with Themba Khoza, chairman of the Inkatha Youth Brigade in the Transvaal, to sell arms to Inkatha hostels on the Transvaal Reef.[29] Khoza was arrested in September 1990, when arms were found in his vehicle near the scene of an IFP attack on Sebokeng Hostel in which 43 people died. Having given him the vehicle beforehand,[30] C-10 also paid for his bail and legal fees.[31] De Kock later revealed that police falsified evidence to secure Khoza's acquittal. Referring to his gun-running endeavours, De Kock admitted that he undertook some actions of this kind on his own initiative and others under direct orders.[32] As these admissions show, there were tensions in the

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24 Ellis, 'The Historical Significance of South Africa's Third Force', p. 269.
25 *Ibid*.
26 Murray, *The Revolution Deferred*, p. 80.
27 Ellis, 'The Historical Significance of South Africa's Third Force', p. 285.
28 The Goldstone Commission, 'Interim Report on Criminal Political Violence by Elements within the South African Police, the KwaZulu Police and the Inkatha Freedom Party', 18 March 1994.
29 Pauw, *Into the Heart of Darkness*, p. 124.
30 *Africa News*, 'Cracks in the Boipatong story', 22 January 1999.
31 The Goldstone Commission, 'Interim Report on Criminal Political Violence by Elements within the South African Police, the KwaZulu Police and the Inkatha Freedom Party', 18 March 1994.
32 Ellis, 'The Historical Significance of South Africa's Third Force', p. 284.

term ‘third force’. In its original sense, it referred to illegal, covert state initiatives to destabilise opposition. In another, it referred to renegade right-wing elements within the security forces, seeking to dismantle negotiations. These tensions speak to ongoing discrepancies over the degree of state complicity in political violence: How far up the state hierarchy did it go and to what extent was it endemic to security force culture? These questions became increasingly pertinent after negotiations deadlocked, and took on even greater currency after the Boipatong massacre.

Negotiated deadlock

After assuming leadership of the NP in 1989, de Klerk committed himself to achieving majority support for the party among all of South Africa’s ethnic groups.[33] De Klerk’s envisaged Christian democratic alliance of moderate multiracial forces would draw the bulk of its support from rural areas, recruiting traditional chiefdoms and churches to muster droves of voters.[34] However, it would also need to make substantial inroads into the ANC’s urban support base. A survey conducted as early as March 1989 showed that such aspirations were less than quixotic. South African research institute Markinor put De Klerk and then President P.W. Botha second in popularity (22 percent) to Mandela (41 percent) among urban blacks.[35] De Klerk’s parliamentary address in February 1990 served to bolster such support. Later that day, Anglican Archbishop Desmond Tutu admitted, ‘What he has said has certainly taken my breath away’.[36] Tutu acknowledged that it was time to give de Klerk credit. In an unannounced visit to Soweto in September, de Klerk found himself surrounded by township residents crowding in to touch him. Some chanted ‘Viva de Klerk’ and ‘Comrade!’[37]

De Klerk’s rising popularity was countered on two fronts, by the white right-wing on the one and the ANC and its leftist allies on the other. The white right-wing was bitterly opposed to de Klerk’s reforms. The pro-Apartheid Conservative Party (CP) complained that his actions had no electoral mandate. Indeed, he made no mention of such reforms during the 1989 campaign. He even reprimanded the Democratic Party (DP) for its links with ANC ‘terrorists’.[38] By early

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33 *Die Burger*, 19 February 1989 in Hermann Giliomee and Lawrence Schlemmer, *From Apartheid to Nation-Building*, Oxford University Press (Cape Town, 1989), p. 199.
34 Ottoway, *Chained Together*, p. 259.
35 The sample constituted a stratified selection of 550 black adults living in the major metropolitan areas of the Pretoria-Witwatersrand-Vereeniging region, Durban, Port Elizabeth and Cape Town. Giliomee and Schlemmer, *From Apartheid to Nation-Building*, pp. 199-200, and 205.
36 Ottoway, *Chained Together*, p. 79.
37 Keller, ‘De Klerk’s Gorbachev Problem’, *New York Times*, 31 January 1993.
38 Ottoway, *Chained Together*, p. 79.

1992, persistent political violence and a string of by-election defeats to the CP had reduced de Klerk's standing amongst white South Africans.[39] In February, the CP won a by-election in the hitherto secure NP constituency of Potchefstroom, where de Klerk had graduated. Looking to galvanise support in the face of growing adversity, he responded by holding a referendum the following month. Whites were asked to vote for or against continued negotiations toward a multi-racial democracy. A majority of 68.7 percent on a turnout of 86 percent of the white electorate voted 'yes', dealing a crushing blow to the conservatives.[40] Emboldened by his victory, de Klerk turned his attention to negotiations with the ANC at CODESA II.

De Klerk's most explicit promise to the white electorate prior to the referendum had been that he would prevent majority rule. This promise became his mandate at CODESA II, where the key question in drafting an interim constitution was whether South Africa should be ruled by majority or power sharing.[41] CODESA II became deadlocked over the issue in May 1992. After the NP advanced a proposal for minority powers that clearly betrayed de Klerk's post-referendum victory giddiness, ANC Secretary General and key negotiator Cyril Ramaphosa responded with a proposal that the NP would never accept.[42] Journalists interviewing de Klerk after the suspension of talks were puzzled to find him in a buoyant mood. He was confident that compromise would come from the ANC, and that an NP-led alliance would beat the ANC in a democratic election.[43] De Klerk and Mandela met soon thereafter and resolved to keep

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[39] Tom Lodge, *Mandela: A Critical Life*, Oxford University Press (Oxford, 2006), p. 176.

[40] Patti Waldmeir, *Anatomy of a Miracle: The End of Apartheid and the Birth of the New South Africa*, W.W. Norton and Company (New York, 1997), p. 199.

[41] This question revolved around how an elected constituent assembly would operate, whether decisions would be taken by a simple majority or a more substantial majority. The more substantial the majorities required, the more powerful the white minority vote, and thus the stronger the leaning toward power sharing.

[42] The NP proposed that a two-thirds vote would be sufficient to pass most constitutional clauses in the assembly. Those clauses dealing with a bill of rights, devolution of power, multi-party democracy, and minority rights would need a three-quarters majority. These terms would let the white minority resist unfavourable amendments to the interim constitution. The NP also wanted to ensure that the interim constitution would be favourable and worth protecting. It proposed that a senate representing minorities should pass the interim constitution by a two-thirds vote. Cyril Ramaphosa responded by generously allowing for a 70 percent majority for passage of all constitutional clauses except the bill of rights, where three quarters would be required. However, he added that if the assembly was not able to agree within six months, a referendum should be held requiring only a 50 percent majority to pass a new constitution. The ANC would be able to stall talks for six months, trounce the NP in a referendum, and effectively write the new constitution on its own. The NP cried foul and CODESA II went into stalemate. See Waldmeir, *Anatomy of a Miracle*, pp. 200-202, and Anthony Butler, *Cyril Ramaphosa*, Jacana (Johannesburg, 2007), p. 294.

[43] Waldmeir, *Anatomy of a Miracle*, p. 203.

negotiations on track.[44] Yet the next month would see their collaboration break down, and the tides of fortune turn against de Klerk.

A call to mass action

Negotiations saw national politics become increasingly abstracted from township life and the ANC ever more estranged from the street politics to which it was accustomed. Delegates in suits and ties discussed a new dispensation at the World Trade Centre in Kempton Park on the East Rand, a far cry from the neighbouring township complex of Kathorus where internecine violence was protracted. The stark contrast between these contiguous political spaces was indicative of a broader context in which the ANC was fast shedding its popular movement skin and becoming more of a political party. As a political party caught up in negotiations, the ANC was out of touch with a membership that was yet to reveal itself in the electoral medium. After the CODESA II deadlock, the ANC sought to tighten control over disjointed politics on the ground whilst bringing an overconfident de Klerk back down to earth. It hoped to galvanise its membership under a unifying programme, which would lay bare its political brawn. As Ramaphosa later explained, 'The breaking off of talks marked an important return for the ANC to the politics of mass mobilisation. It served to remind the regime that they were negotiating with a political movement which had the support of the majority of South Africans.'[45] Ramaphosa's retrospection likely exaggerated the confidence of the ANC leadership during a period of uncertainty. Indeed, while the ANC seemed unable to stop IFP-ANC conflict, it was also beset by internal divisions.

The ANC had formed Self Defence Units (SDUs) in late 1990 to protect communities from Inkatha and security forces. However, numerous SDUs became the focus of localised struggles between established ANC structures and MK cadres returning from exile.[46] Conflict between MK cadres and local leaders

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44 F.W. De Klerk, *The Last Trek – A New Beginning: The Autobiography*, Pan (London, 2000), pp. 238-239.

45 Butler, *Cyril Ramaphosa*, p. 298.

46 MK cadres returned to South Africa with a sense of valour and entitlement, expecting to take control of military operations in townships. Incumbent leaders were sometimes unwilling to relinquish control. SDUs collected money from their communities ostensibly for arming themselves, but these funds were often a vital means of enrichment. Some SDUs obtained 'protection money' by force. SDUs also stood accused of vigilante-style murders of accused police informers and Inkatha sympathisers, as well as common crimes such as car theft. Vigilante justice was often a political facade for the elimination of competing criminal factions. MK cadres were drawn into this world of criminality and vigilantism, having returned triumphantly to South Africa only to find that the ANC could offer them neither jobs nor money. See US Department of State, 'South African Human Rights Practices, 1992', March 1993, and John Battersby, 'Internal ANC fights add to S. African Strife', *The Christian Science Monitor*, 15 June 1992.

was reported during the first half of 1992 in both Natal and the Transvaal.[47] As negotiations faltered, ANC leaders became more attentive to discord within local party structures. In early June, Mandela met trade union leaders and ANC regional officials to address internal clashes. SACP leader Chris Hani led a delegation to Sebokeng to seek a truce between warring ANC factions. The ANC noted publicly that its principal worry was that the state might take underhand advantage of internal divisions if they were not healed promptly. As COSATU education officer Shele Papane warned, 'The most obvious area of concern is that these divisions will ensure that the state will start killing the one side ... and we won't know who is attacking whom anymore.'[48] While Papane's concern was not unfounded, its articulation was part of a broader ANC initiative to draw the gaze of its membership outward toward an identifiable enemy. The call to mass action became the focus of this initiative. It would be a testing of political muscle, and what better time to test it than on June 16th, the anniversary of the 1976 Soweto uprising.[49]

On Tuesday the 16 June 1992, commuter trains ran almost empty through Johannesburg. Taxi ranks in the surrounding townships were desolate, while bus

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[47] In Transvaal, conflict was documented in the Kathorus squatter camp of Phola Park, as well as Sebokeng. In Phola Park, an SDU set in motion by MK cadres ousted the ANC-aligned residents' committee in April. In Sebokeng, an official MK initiative to coordinate defence units in early 1992 gave rise to conflict between some 200 cadres and local ANC structures. SDU members gravitated to both sides. Former MK guerrillas under Ernest Sotsu were dominant in the KwaMazisa and Sebokeng hostels. Sotsu had moved to Sebokeng Hostel in July 1991, after IFP assassins from KwaMadala murdered his wife, daughter and grandson, before setting his Boipatong house alight. The former guerrillas had set about defending the two hostels against attack from Inkatha, but in 1992 Sotsu's faction also found itself up against another SDU. This SDU was allegedly led by shop stewards from the National Union of Metalworkers South Africa (Numsa), and supported by ANC branch leaders eager to isolate the MK returnees. See John Battersby, 'Internal ANC fights add to S. African Strife', *The Christian Science Monitor*, 15 June 1992, and Philippa Garson, 'The perfect gentleman at the centre of a battle', *The Weekly Mail*, 5 June 1992.

[48] John Battersby, 'Internal ANC fights add to S. African Strife', *The Christian Science Monitor*, 15 June 1992.

[49] June 1976 saw thousands of Sowetan schoolchildren march in protest against the introduction of Afrikaans as the medium of instruction in black secondary schools. Police fired at unarmed demonstrators, killing several and injuring others. Subsequent uprisings in Soweto townships became the focus of a countrywide revolt.[49] Security forces reacted with spontaneous ferocity, killing 451 people. While the uprising marked a resurgence of mass resistance, it was unprecedented in size and violence. It combined a number of pressures that characterised the period. South Africa was reeling from economic recession. Its security forces were increasingly militant in the face of an exodus of impoverished blacks from rural areas, heightened union activity in the cities, and the rise of Black Consciousness on black campuses. The country was at odds with its geopolitical context, wherein decolonisation had become endemic. The resultant upheaval that began in Soweto was deeply etched into the political psyche of black South Africa. To re-invoke its spirits in the name of a mass action, against the backdrop of a political impasse that could be blamed on the brash opportunism of a white minority, was a formidable gesture. See South African Institute of Race Relations, *Survey of Race Relations 1980*, (Johannesburg, 1981), p. 235, and David R. Howarth, 'The difficult emergence of a democratic imaginary: Black Consciousness and non-racial democracy in South Africa', in David R. Howarth, Aletta Norval and Yannis Stavrakakis. (eds), *Discourse Theory and Political Analysis: Identities, Hegemonies and Social Change*, Manchester University Press (Manchester, 2000), p. 169.

companies halted their services to townships. According to the Johannesburg Chamber of Commerce and Industries, more than 89 percent of city employees stayed away from work.[50] Similar occurrences prevailed throughout the country's commercial centres, particularly in Pretoria where at least 80 percent of black workers stayed away. In Soweto, Nelson Mandela led a march of 2000 people to the Regina Mundi Church in Orlando, where he unveiled a memorial tombstone symbolising the death of Hector Pietersen.[51] Speaking at the ceremony, ANC national chairman Oliver Tambo said that the Soweto uprising 'unleashed a vortex of popular anger and victory is now in the offing.'[52] Later in the day, Mandela addressed a rally of 30,000 supporters in Orlando Stadium. He cautioned, 'The people should observe absolute discipline and should resist pressure for the armed struggle to be reinstated.'[53] He dismissed suggestions from ANC supporters that violence be carried into white neighbourhoods, claiming that such actions would result in disaster of the 'first magnitude'. 'One cannot stop the violence by killing innocent people.' Mandela emphasized that mass action was a legitimate method of protest in democratic nations. His pacifist oratory reflected a complex of tensions around the meaning of mass action.

Not only had the ANC been troubled by localised internal conflict over the control of SDUs, its leadership was also deeply divided between moderates and hardliners. Since his release, Mandela had come increasingly to blows with party radicals, who were sceptical of a negotiated transition. In March 1990, Mandela returned to Robben Island to persuade 25 prisoners to accept an amnesty offer from government, rather than await news of its fall before the ANC in civil war.[54] In August, government and the ANC signed the 'Pretoria Minute', which proclaimed the ANC's immediate suspension of all armed actions. In return, government agreed to release political prisoners and indemnify exiles for political offences. In Mandela's view, the armed struggle 'had a popularity out of proportion to what it had achieved on the ground'.[55] Younger, more militant leaders found a ceasefire in exchange for minor concessions to be an outrage. At a December ANC conference in Johannesburg, Tambo argued that the ANC should modify its support for total sanctions. Western countries were already withdrawing sanctions, and the ANC was at risk of being marginalised abroad.[56]

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50 Raphael Banda, 'First day largely successful as most blacks observe stayaway call', *SAPA*, 16 June 1992.

51 Pietersen was commonly regarded as the first fatality in the Soweto uprising. Sam Nzima's photograph of the dying 12-year old in the arms of a fleeing youth was an iconic image of the 1976 uprising.

52 Frans Pienaar, 'Mandela unveils June 16 memorial tombstone', *SAPA*, 16 June 1992.

53 Frans Pienaar, 'Mandela appeals to members for strict discipline', *SAPA*, 16 June 1992.

54 Anthony Sampson, *Mandela: The Authorized Biography*, Harper Collins (London, 1999), p. 427.

55 *Ibid*, p. 426.

56 *Ibid*, p. 428.

The conference rejected Tambo's call. Hardliners were increasingly disappointed with Mandela, who reminded the conference of Tambo's laudatory leadership. Mandela was no longer the brooding revolutionary jailed as leader of the MK.[57] Mindful of the ANC's somewhat obliging participation in negotiations, delegates criticised Mandela for not consulting with them during his talks with government. The CODESA II deadlock in 1992 saw party radicals toying ever more with the idea of mass insurrection. The swashbuckling Ronnie Kasrils called the idea 'the Leipzig Option', after a 1989 protest march in East Germany which saw 70,000 people stomp defiantly though the centre of Leipzig, causing Soviet police to flee and bringing the communist regime to its knees. Mandela's resistance to party radicals would soon weaken, much to the detriment of the country's stability. For the time being, opposition between moderates and hardliners was manifested in a mass action campaign that was by and large peaceful yet spurred by ominous rhetoric.[58]

While the ANC was itself divided over the meaning of mass action, it had also to compete with the views of government and the IFP. All three jostled for position on the political stage by blaming any violence that might occur during the mass action on their opponents. Government held that the 'ANC's avowed intention to proceed with the mass action campaign, which it well knows could end in violence, bloodshed and suffering for its own people, casts serious doubt over its good faith as a negotiator.'[59] The ANC charged that government's extensive deployment of security forces was aimed at creating 'a false sense of alarm and panic around the proposed programme of mass action'.[60] The SAP embarked on an advertising campaign, tacitly promoting the idea that political violence was 'black-on-black'. One advert displayed a photograph of a 'necklace' victim, and warned of the possible consequences of mass action.[61] Another quoted Martin Luther King's 'I have a dream' speech and called for peaceful change. The ANC pointed out that police had confiscated weapons from IFP

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57 *Ibid*, p. 429.

58 The ANC rally in Durban on Tuesday June 16th was a case in point. An estimated 10 000 supporters marched through the city, calling for government's immediate resignation and replacement by an interim government. A memorandum presented to government stated, 'We are voting with our feet for your immediate dismissal, and we promise to force you to resign. Beware the voice and anger of the people!' The memorandum held that government had 'declared war on the oppressed people' by deploying large contingents of security forces in response to mass action. Indeed, the route of the march was lined heavily with police, including marksmen stationed on buildings. It warned government that the mass action 'was aimed at opening up your exit, and we promise not to despair until you have been brought to your knees.' The ANC's aggressive tone was reminiscent of the militancy of 1976, yet ostensibly directed at a peaceful, but forceful campaign of ardent demonstrations, boycotts, strikes, and stay-aways. Police acknowledged that the Durban march had been peaceful. Craig Doonan, 'We promise to force you to resign – ANC memorandum', *SAPA*, 16 June 1992.

59 *SAPA*, 'NP calls on ANC to abandon mass action', 16 June 1992.

60 *SAPA*, 'ANC calls on citizen force members to defy call-up', 16 June 1992.

61 *SAPA*, 'Opponents' responses contributing to climate of violence', 16 June 1992.

supporters in Soweto on Sunday the 14th before returning them on Monday, just in time for the beginning of the mass action.[62] The IFP retorted that police had returned cowhide shields and knobkerries, but not illegal firearms, axes and pangas.[63] Themba Khoza highlighted SABC TV news footage of policemen jubilantly showing off the impounded weaponry to a crowd of alleged ANC supporters. *The Weekly Mail* called the occasion 'a high profile media show'.[64]

Inevitably, debate honed in on the course of June 16th and whether the day's violence could be linked to mass action. The Human Rights Commission (HRC), known to have ANC-sympathisers in its ranks, reported that 22 politically-related deaths occurred on Tuesday, but said that few could be attributed to mass action.[65] It noted that 10 of the fatalities were identified as ANC supporters, while the affiliation of the other fatalities was unknown. According to the HRC, 63 had died in political violence during the course of the week, whereas 54 had died in the previous week. IFP monitors claimed 'more than 40' deaths occurred on Tuesday, many of which were allegedly linked to mass action. Commissioner of Police, General Johan van der Merwe, said the campaign's first day passed without serious incident. He was contradicted by Minister of Law and Order Hernus Kriel, who announced a police investigation into possible links between mass action and the murder of at least 34 people in Reef townships since the previous day. Kriel claimed it was indisputable that the mass action contributed to a climate of violence. His claim was believable, yet narrow in its apportioning of blame. As the University of the Witwatersrand's Project for the Study of Violence (PSV) argued, 'government, political interest groups and the mass media actively contribute to a climate of violence by continually referring to violence instead of peace.'[66] In blaming their opponents for the violence whilst portraying themselves as 'advocates of nonviolence', parties contributed to a mood of mutual suspicion that encouraged people on the ground to pre-empt violence against themselves by unleashing it upon others. On Tuesday the 16th, the struggle to lay blame for the violence was hotly contested. The odds would change the following day.

Politics on the eve of the Boipatong massacre

On the eve of the Boipatong massacre, South Africa's dislocated social fabric lay undone along many of its seams, yet taut with tensions, as meanings were pulled in opposing directions. The struggle for a new political order with new political

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62 *The Star*, 'ANC probes return of weapons', 18 June 1992.
63 *SAPA*, 'Illegal arms "not returned"', 16 June 1992.
64 *The Weekly Mail*, 'Confident NP uses mass action to its own advantage', 19 June 1992.
65 *The Star*, 'Violence not linked to mass action', 18 June 1992.
66 *SAPA*, 'Opponents' responses contributing to climate of violence', 16 June 1992.

identities seemed as though it could go either way. De Klerk's reputation in South Africa and abroad was not far from earlier peaks. As the politician who had heralded the new era of negotiation, he continued to enjoy broad recognition as a great South African reformist. His referendum victory over the conservatives had reinforced this status. Furthermore, his groundbreaking reforms had taken wind out of the revolutionary sails of the ANC. Yet, not all was well for de Klerk. The country's embattled economy was in desperate need of capital-inflows and a return to growth. The NP's insistence on excessive minority powers had been instrumental to the deadlock in negotiations, and was likely to tarnish the President's standing among the country's majority. The escalation of violence, along with mounting evidence of third force involvement, posed a further threat to his reputation. However, the popular notion of third force violence remained vague, with many revelations still to come. Government had significant leeway to finger the ANC as an impediment to a peaceful, negotiated transition. The airing of hawkish ANC sentiments and the call to mass action appeared at odds with the prevailing spirit of dialogue. Debilitated by internal national and local power struggles, the ANC was also at pains to defuse conflict with the IFP. Nevertheless, the return to mass politics also threatened to revive the ANC to its pre-negotiations position of strength, gained through the broad-based mass democratic movement repeatedly forcing the hand of government. The call to mass action raised the stakes and intensified mutual suspicion. National politics were brought down from their floating heights, back toward the ground, where struggles over meaning would assume more physical forms.

3

The politics of the Boipatong massacre: 18th – 22nd June 1992

> I can no longer explain to our people why we keep on talking peace to men who are conducting a war against us, men of corruption who kill innocent people.
>
> Nelson Mandela reacts to the Boipatong massacre, ANC rally in Evaton, 21 June 1992[1]

> There are only two conclusions which we can draw from this statement: Either he genuinely believes his accusation to be true or he is strategically using the Boipatong tragedy as an excuse to break off negotiations and to sweep up support for the ANC's campaign of mass action, with the intention of making the country ungovernable and of pursuing the unconstitutional seizure of power.
>
> Minister of Constitutional Development Roelf Meyer responds to Mandela, 22 June 1992[2]

This chapter is concerned with narratives that arose in the days after the Boipatong massacre. In examining this immediate moment, it is not so concerned with aftermath, as with the making of an aftermath. The Boipatong massacre left in its wake a new opening, an empty metaphor waiting to be infused with symbolism. Interested parties plunged into this opening, colliding with each other on the political stage in a bid to saturate it with their own meanings. My focus here lies primarily with the ANC, quick to take the upper hand. Like many massacres before and after, the Boipatong massacre could very easily have faded into insignificance. The ANC decided otherwise. Even if the truths it posited were contentious, ANC manoeuvrings in the days after the massacre gained the organisation massive political capital, with pronounced political consequences.

Early allegations

Reporters arriving in Boipatong on the morning of June 18th stumbled upon a resurrection of the previous night's horror. An estimated 300 KwaMadala 'impi'

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1 Nelson Mandela, *Nelson Mandela Speaks: Forging a Democratic, Non-Racial South Africa*, Steve Clark (ed.), Pathfinder (New York, 1993), p. 174.

2 South African Consulate General, 'Roelf urges ANC to resume talks', *This Week in South Africa*, 23 June 1992.

(armed Zulu men) had advanced on Boipatong in broad daylight, wielding spears, shields, pangas, axes and firearms.[3] Boipatong SDU members had re-grouped during the night and were threatening to retaliate.[4] Anticipating a counterattack, the 'impi' came to meet them, only to find themselves in a tense standoff with security forces. Several hundred police and troops lined up next to the road leading to Slovo Park as terrified residents scrambled to get behind them. *The Star* reported that a woman was seen rooted in a pool of her own urine, crying 'God help us! God help us!'[5] After several minutes the road was deserted, with the exception of the two armed forces facing each other 50 metres apart. *The Star*'s reporter on the scene was transfixed, 'The impis crept up and down the pavement, walking about 10 paces before sitting down once more in complete silence.'[6] Unable to match the firepower of the security forces, the frustrated 'impi' withdrew to their hostel soon thereafter. The dynamics of the stand-off, of township residents scurrying behind a protective police cordon to flee advancing hostel marauders, was hardly suggestive of police complicity in the Boipatong-KwaMadala conflict. Years later Rian Malan wrote that in light of the standoff, the previous night's 'massacre initially appeared to be "black-on-black". As such, it was of little use to ANC spin doctors.'[7] Tellingly, the incident went considerably underreported. *The Star*'s firsthand account published on the 19th was supplanted days later by *The Sunday Star*, which downplayed the protective role the security forces had adopted. *The Sunday Star* claimed pithily that there had been a standoff between impi and 'hundreds' of township residents, before police instructed the impi to go home.[8] Foremost amongst newspaper headlines on the 19th was the allegation that the massacre had not been 'black-on-black'.

The ANC was quick to take control of the media's interaction with the people of Boipatong. On the morning of the 18th, ANC officials went around Boipatong instructing residents not to talk to police or outsiders.[9] Those wishing to make statements were asked to report to a local school, where they found representatives of the HRC and Peace Action. Both organisations monitored township violence and included ANC-supporting members. Journalists arriving in Boipatong were guided around the township and introduced to witnesses, including witnesses who backed claims of police complicity. The ANC made its first public statement regarding the massacre to the South African Press Association (SAPA) at around midday. Spokesperson Ronnie Mamoepa moved decisively to shape popular perceptions of the massacre to ANC advantage, even if the allegations he

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3 *The Star*, 'The agony of Boipatong', 19 June 1992.
4 Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.
5 *The Star*, 'The agony of Boipatong', 19 June 1992.
6 *Ibid*.
7 Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.
8 Peter de Ionno, 'Beasts tear the heart out of Boipatong' *The Sunday Star*, 21 June 1992.
9 Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.

made were contentious at best. In a patent display of ignorance, he put the death toll at five.[10] The gist of his statement was strongly accusatory, resolute in its condemnation of the state for playing a pivotal role in the massacre,

> The attackers were brought into the township in police casspirs. There is evidence that the police also assisted in the attack. The SAP had ignored warnings that Boipatong was about to be ransacked. They helped the impi by blasting self-defence units off the streets with tear-gas and live ammunition. Shortly thereafter, police were seen escorting groups of armed men from KwaMadala hostel into the township. Later they were seen off-loading armed men at various points ... In those homes where the attackers could not gain entry, police used casspirs to break down walls and enable the attackers to assault residents and loot their furniture and other valuables ... The attackers were seen loading their loot on to police vehicles or vehicles belonging to the Vaal Commando of the SADF.[11]

Police later acknowledged that the Powerville riot squad had dispersed the township SDU, 'the Boipatong Boys', on the evening of the 17th. However, the SAP also alleged that the squad had been attacked three times before retaliating with birdshot.[12] Rather than actively seeking to disperse the SDU, police were allegedly forced to defend themselves from petrol bomb attack.[13] The Independent Board of Inquiry (IBI), another monitoring organisation with ANC supporters among its membership, published a statement from an SDU member which corresponded loosely to the police version of events. Johannes Nakedi held that police in a Nyala approached him and other youths in Boipatong soon after 8pm. When the police asked why they were patrolling, the youths said they were worried about an Inkatha attack. Police answered scornfully that they should go to bed since they had no firearms. The youths took offence and threw stones at the police, who responded with birdshot and teargas.[14] According to SDU members, the police squad then moved around the township using birdshot and teargas to disperse other SDU patrols. Five additional incidents were reported.[15] Whether one side could be held singly responsible for the clashes remained inconclusive.

The SAP received at least three warnings prior to the massacre. The first two came from concerned Vaal resident Watch Mathibedi and Reverend Paul Verryn of the Soweto Methodist Church. Both called the SAP before 8 pm on the evening of the 17th, reporting that Vaal residents had told them violence was

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10 *Ibid*.

11 ANC statement to SAPA, 18 June 1992 in Padraig O'Malley, 'Boipatong', unpublished manuscript, University of Witwatersrand Historical Papers Archive, April 2000, p. 3.

12 *The Star*, 'Boipatong carnage leaves host of riddles in its wake', 27 June 1992.

13 Paul Stober, 'Was Boipatong an act of vengeance?', *The Weekly Mail*, 26 June 1992.

14 Independent Board of Inquiry, 'Boipatong Massacre: Brief summary of statements taken thus far', 26 June 1992, p. 4.

15 Nicholls, Cambanis, Koopasammy and Pillay, 'Memorandum: Events of the Boipatong Massacre', pp. 1-2.

imminent.[16] Verryn heard there might be violence that night. Ramaphosa later led a 1000-strong march to police offices in Braamfontein, demanding to know why police took no action on Verryn's warning.[17] Police were quick to point out that the given location had not been Boipatong. Mathibedi had warned of an impending Inkatha attack on Sebokeng, 10 km north of Boipatong. Verryn's informants singled out Sebokeng, as well as Bophelong, 5 km west of Boipatong. The third warning was more serious. Meshack Theoane, a petrol attendant working at a filling station between Boipatong and KwaMadala on the night of the massacre, had seen a large contingent of armed men cross the main road between the township and the hostel at around 9:30 pm.[18] Theoane rang an alarm connected through a security company to the Vanderbijlpark SAP. Police arrived promptly but allegedly showed little interest in what Theoane had seen. He was removed from the station, purportedly for his own safety. Sounds of gunfire and looting could be heard in the distance as he was taken away. Theoane was sacked two days later.[19] He later testified to the Goldstone Commission that his employer fired him because he had given information about what he had seen to the ANC. His employer, Jannie van Zyl, held that Theoane dismissed himself by not coming to work after picking up his wages two days after the massacre.[20] While Theoane's testimony called police motives into question, it was not clear whether their futile response could be ascribed to conspiracy, indifference or the timid caution of a handful of men ill-equipped to stop 300 armed impi.

In the days following the massacre, testimonies of named witnesses alleging police complicity filtered into the press. The IBI produced a summary of witness statements. ANC advocates Nicholls, Cambanis, Koopasammy and Pillay, in preparation for the Goldstone Commission, compiled an outline of the event based upon witness testimonies. Together, these documents reproduced 44 testimonies suggesting police complicity.[21] Testimonies ranged from sightings of police in the vicinity of attacks to direct participation. The documents named 18 witnesses who allegedly saw police or white men attacking residents during the massacre. While the press named far fewer witnesses, images of white skin and sounds of white men speaking Afrikaans abounded in the media. Novuyo Makheleni said she heard men kick open the door and come into her house, 'I peeped through and I saw a white man who had his face painted black. He had a revolver with

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16 *Ibid*, pp. 2-3.
17 *SAPA Wire*, 19 June 1992.
18 Nicholls, Cambanis, Koopasammy and Pillay, 'Memorandum: Events of the Boipatong Massacre', p. 4.
19 *The Citizen*, 'SAP were warned before Boipatong attack: Claim', 6 August 1992.
20 Peta Thornycroft, 'Security forces in the dock', *Sunday Star*, 9 August 1992.
21 Independent Board of Inquiry, 'Boipatong Massacre: Brief summary of statements taken thus far', 26 June 1992; Nicholls, Cambanis, Koopasammy and Pillay, 'Memorandum: Events of the Boipatong Massacre'.

him while two blacks had a panga and a spear each ... The white man kicked the kitchen unit behind which I was hiding and said "is klaar" and they walked out.'[22] Simon Moloi said he awoke to gunshots and the screams of a woman. He and his wife Elizabeth followed the cries outside, where they saw two black men hacking his neighbour and her two children with axes. Further in the distance stood two camouflaged white men who shouted in Zulu, 'Let us kill the dogs!' before opening fire with R-5 rifles. The couple ran to the back of their property where they tried to escape through a barbed wire fence. Simon made it through the fence and was helping Elizabeth, who was eight-months pregnant, when a hail of gunfire forced him to take off. He fled in his underpants to a nearby swamp, where he spent the night. He returned the next morning to find Elizabeth's dead body wrapped in a blanket next to the fence.[23]

Some allegations were less convincing. Tuis Matope and his wife were hiding under the bed in their shack when they allegedly heard a white man saying 'Moenie praat nie, skiet net.'[24] Asked how he knew it was a white man, Matope answered that he 'just knew'.[25] Wilson Moloi said he heard white men when his house was attacked, but later claimed that he saw them when he climbed onto his roof. His adult daughter said it was too dark to identify anyone, and that during the attack he had locked himself in a bedroom.[26] Weeping over her cousin's body, Martha Hlengete insisted she 'saw white skin.'[27] Five men burst through her door. Four were black Zulu-speakers with spears and machetes; the fifth was a white Afrikaans-speaking man with a gun. Martha Hlele survived an attack by gunmen with AK-47s, 'among them a white man disguised in a balaclava'.[28] Her two grandsons were killed in the attack. In addition to *US News*' 'Martha Hlengete' and *The Star*'s 'Martha Hlele', the IBI's 'Martha Hlehledi' saw a white man among five attackers wearing balaclavas, all of whom could speak Zulu.[29] While accounts seemingly drawn from the same testimony disagreed, accounts taken from different testimonies were often at pains to fare any better.

The IBI and Nicholls et al documents outlined 30 testimonies alleging the presence of security force vehicles in Boipatong during the massacre, nine of which also claimed that police or whites were seen attacking residents. Only six of the 30 aforesaid testimonies claimed to have seen security force vehicles offloading men. By contrast, *The Star* reported that it could find nobody in

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22 *New Nation*, 'Night of terror', 19 June 1992.
23 Bronwyn Wilkinson, 'How they hacked my wife to death', *The Star*, 29 June 1992.
24 Joe Louw, 'Anatomy of a massacre', *The Saturday Star*, 20 June 1992.
25 *The Star*, 'Boipatong carnage leaves host of riddles in its wake', 27 June 1992.
26 *Ibid*.
27 Eric Ransdell, 'Boipatong, South Africa', *US News*, 22 June 1992.
28 Joe Louw, 'Anatomy of a massacre', *The Saturday Star*, 20 June 1992.
29 Independent Board of Inquiry, 'Boipatong Massacre: Brief summary of statements taken thus far', 26 June 1992, p. 2.

Boipatong who had seen men dropped off by security force vehicles.[30] *The Saturday Star* only named Johannes Mokonya, who allegedly saw armed men clambering out of a casspir driven by a white man.[31] If casspirs had transported 200-300 attackers into Boipatong, as Mamoepa said they had, residents would have woken to the portentous rumble of between 10 and 15 armoured personnel carriers trundling into their neighbourhood. Some residents would not have been asleep, as it was only the late evening. More than a handful of people would have noticed the legion of armoured vehicles arriving, and their subsequent testimonies would have substantiated one another extensively. Of the six aforementioned testimonies reproduced by the IBI or Nicholls et al, only Moses Mathibela's IBI testimony identified some of the men offloaded as impi. The remaining five referred to 'police',[32] 'attackers',[33] 'people',[34] 'many men ... including whites',[35] and 'armed men'[36]. Mathibela explained that he had been watching television when he heard casspirs. Gazing out of his window, he saw a casspir turn out of the corner of Amatolo Street and come to a halt close to his house near the corner. He watched about 20 black men wearing white headbands climb out of the casspir, together with 10 camouflaged policemen. The casspir was joined by another, which flooded the area with light to assist the attackers.[37] Mathibela most likely exaggerated the number transported in one casspir, designed to hold a crew of two plus 12 additional soldiers and associated gear.[38] More importantly, in light of other alleged casspir sightings in and around Amatolo Street, Mathibela's account betrayed a key flaw in ANC accusations against the state. Witness allegations did little to corroborate one another, and sometimes appeared at odds.

Charles Mofokeng said he and other SDU members were patrolling Amatolo Street at the time of the attacks, when two casspirs drove up and opened fire with teargas and birdshot.[39] The casspirs then moved eastward toward Slovo Park. Mofokeng made no mention of black men with white headbands. Joseph Sello also claimed to see two casspirs moving along Amatolo around the same time. He held that the casspirs picked up 'a group of armed men', before moving on

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30 *The Star*, 'Boipatong carnage leaves host of riddles in its wake', 27 June 1992.
31 Joe Louw, 'Anatomy of a massacre', *The Saturday Star*, 20 June 1992.
32 Independent Board of Inquiry, 'Boipatong Massacre: Brief summary of statements taken thus far', 26 June 1992, p. 2.
33 Nicholls, Cambanis, Koopasammy and Pillay, 'Memorandum: Events of the Boipatong Massacre', p. 9.
34 *Ibid*, p. 13.
35 *Ibid*, p. 14.
36 *Ibid*, p. 20.
37 Independent Board of Inquiry, 'Boipatong Massacre: Brief summary of statements taken thus far', 26 June 1992, p. 3.
38 'Casspir', http://www.globalsecurity.org/military/world/rsa/casspir.htm, (accessed 4 January 2009).
39 Independent Board of Inquiry, 'Boipatong Massacre: Brief summary of statements taken thus far', 26 June 1992, p. 2.

towards Slovo Park.[40] His account made no suggestion that these 'armed men' might not have been police. While Mofokeng and Sello's accounts undermined Mathibela's assertion that casspirs had offloaded impi along Amatolo, so too did accounts from elsewhere in Boipatong. By charting houses with broken windows and collating testimonies, Nicholls et al held that attackers entered Boipatong along Lekoa Street, before splitting into two groups.[41] Amatolo was on the opposite side of the township to Lekoa, and neither group appeared to have travelled along it. Furthermore, no testimony in either of the two documents reported any attack upon Amatolo households. It seemed that only policemen had travelled by casspir along Amatolo towards Slovo Park, perhaps disembarking along the way to disperse an SDU. Some of the police onboard these vehicles may well have been black, possibly fuelling the belief that impi had been off-loaded. On the other hand, Mathibela may have anticipated that the offloading of black policemen would absolve him from any charge of bad faith should his allegations be disproved.

The issue of security force vehicles in Slovo Park presented another bouquet of discordant accounts. Isaak Modika claimed he saw three hippos behind Slovo, offloading 'people' who then advanced toward Bakoena Street.[42] Diamond Lata saw casspirs at the back of Slovo shooting teargas at local youths, presumably SDU members, before offloading 'men ... including whites'.[43] 'Ndandwe' saw 'men' emerging from mini-bus taxis on Bakoena.[44] Edison Themba Koti alleged that 'armed men' got out of a casspir on Bakoena, before helping black men with headbands attack nearby households.[45] Later he saw two casspirs following men carrying televisions and other looted items back towards KwaMadala. Koti was one of the few witnesses that gave evidence of conspicuous police collaboration with black men identifiable as impi. His accusations hardened at the Goldstone Commission, where he held that the black men with headbands had climbed out of the casspir.[46]

Mamoepa implied there were a number of incidents in which casspirs broke down walls to allow attackers access to houses. Yet there was only one reported case. Abednego Mabuza, Jacob and Maria Mokoena, and Jerry Monatisa held that a few minutes after Flora Moshupe had been murdered in an attack on her Lekoa Street house, a casspir reversed over its fence. The casspir allegedly parked in the yard, and white men in camouflage were seen loading it with a

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[40] Nicholls, Cambanis, Koopasammy and Pillay, 'Memorandum: Events of the Boipatong Massacre', p. 14.
[41] *Ibid*, pp. 9 – 10.
[42] *Ibid*, p. 13.
[43] *Ibid*, p. 14.
[44] *Ibid*, p. 14.
[45] *Ibid*, p. 20.
[46] Tom Cohen, 'Man says attackers came in police vehicle', *The Associated Press*, 6 August 1992.

television, a hi-fi and other property before it departed.[47] On the other hand, Moshupe's family and her neighbour Zulu Ngwenya told *The Saturday Star* that the casspir had reversed over the fence so that warring impi could enter the house and murder her.[48] Reporters for *The Weekly Mail* later attested to seeing 'deep track marks on the grass', but failed to pose the crucial question of when these marks were left.[49] At the Goldstone Commission, Abednego Mabuza was asked to reconcile his testimony with evidence that at 22:30 he had flagged down a police casspir investigating reports of shooting in progress. Mabuza allegedly directed the vehicle to Moshupe's house. Asked why he would take such action when under the impression that police were complicit, he 'lapsed into sullen silence and refused to say anything at all.'[50] The casspir was piloted by Sergeant Schlebusch of the Internal Stability Unit (ISU), tasked with maintaining stability in townships, and had been joined by a municipal police casspir. Schlebusch took heavy criticism from Nicholls et al after it was found that he reversed clumsily into Moshupe's yard to investigate the attack rather than pursuing its perpetrators whom Mabuza told him had 'just been there'.[51]

ANC charges of police complicity were for the most part questionable, and in some instances plainly flawed. Boipatong consisted of two township complexes, lying adjacent to each other along a north-south axis. The impi had rampaged through the northern complex, roughly a square kilometre in size and slightly larger than the southern complex. In 1990, the population of Boipatong was estimated to number approximately 27,000.[52] More than half of this population was compressed into the northern complex. According to Nicholls et al, the impi entered the northern complex through Lekoa Street on the south side, before dividing into two groups. One group moved eastward along Moshoeshoe toward Slovo Park, while the other moved northward up Lekoa before turning eastward along Bapedi and then Batsoana toward Slovo.[53] The impi then moved back across the entire breadth of the northern complex and exited on its west side, along Bafokeng and Tugela. While Nicholls et al maintained that almost every house along these routes was attacked 'in some way or another', they also noted that other houses elsewhere in the township were attacked. It appeared thus 'that smaller groups of attackers made isolated sorties off the major routes before

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47 Nicholls, Cambanis, Koopasammy and Pillay, 'Memorandum: Events of the Boipatong Massacre', pp. 21-22.

48 Joe Louw, 'Anatomy of a massacre', *The Saturday Star*, 20 June 1992.

49 Phillipa Garson, 'Massacre launched from Iscor's hostel', *The Weekly Mail*, 19 June 1992.

50 Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.

51 Nicholls, Cambanis, Koopasammy and Pillay, 'Broad outline of argument relating to the terms of reference numbered (d) and (e)', Goldstone Commission.

52 Pauline Morris, 'Development Bank of Southern Africa Urban Planning Unit Vaal Triangle Urban Strategic Perspective', May 1992.

53 Nicholls, Cambanis, Koopasammy and Pillay, 'Memorandum: Events of the Boipatong Massacre', pp. 9-10.

rejoining their fellow attackers'.[54] That Boipatong could be subjected to such a far-reaching and thorough attack, yet produce such a thin and incoherent body of testimonies alleging police complicity was indicative of the weak foundation upon which ANC accusations were based. And yet, these accusations quickly developed into popular conviction, in Boipatong, South Africa, and around the world.

Pilgrimages to Boipatong

The open metaphor left in the wake of the Boipatong massacre, into which interested parties plunged and collided, was also a space to which many interested public figures travelled. Here in this space, once a small and unnoticed shanty town far off the beaten track of national politics, the stage was set for a medley of performances that would bring the etchings of a new political order much closer to realisation.

After a three hour tour of Boipatong on Thursday the 18th with veteran SACP leader Joe Slovo, Cyril Ramaphosa told reporters, 'It is becoming clear that government's agenda is that they want to negotiate with an ANC that is powerless and has no following.'[55] He claimed that police and the IFP sponsored the massacre, hoping to spread terror in the townships and discredit the ANC's mass action campaign. Prior to the massacre, Kriel, his spokesperson Craig Kotze, Buthelezi and Khoza had all warned that mass action would result in violence.[56] Ramaphosa countered accusingly, holding that violence fulfilled both their predictions and political agendas. Renewed attempts to attribute the violence to mass action would now hold little sway over popular sentiment. Adding to Ramaphosa's condemnation, Slovo exclaimed, 'We have just been through a warzone. People have been murdered in their beds, not by people in uniform, but we have absolutely no doubt that those who sent them wore police uniforms.'[57] Slovo and Ramaphosa appeared to withdraw tacitly from Mamoepa's earlier accusations. Police had not perpetrated the attack, but together with Inkatha they had supervised and subsidised its perpetration. These subtle retractions would do little to defuse burgeoning popular anger toward police and Inkatha. However, the SAP and IFP were large, amorphous bodies with diverse elements. Ramaphosa's cunning was to tie them to an enemy with a legible face, 'We charge President F W de Klerk with complicity in this slaughter.'[58] Complicity went all the way up to the highest echelon of government. The effects of the Boipatong

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54 *Ibid*, p. 10.
55 *The Independent*, 'Rampage through townships' 19 June 1992.
56 *Business Day*, 'Comment – Boipatong', 22 June 1992.
57 *Reuters*, 'ANC charges government complicity in massacre', 18 June 1992.
58 *Ibid*.

massacre would not be confined to one township and its immediate surrounds. It was a tragedy that would have ramifications on a national and global scale.

The following day, Friday the 19th, Desmond Tutu was in Boipatong to console its residents. 'You can say "God where are you? Where are you when these things happen?" But we have a God and God will answer for us. Don't let them drag you down into the mud. Don't allow them to turn you into animals. God will answer for us.'[59] The following week he told a congregation at St. George's Cathedral in Cape Town that he had not recovered from what he saw in Boipatong. Talking about the incident where a casspir had reversed over a fence to allow impis access to Florence Mashope's house, he said, 'In Boipatong the people are not sophisticated people and it is unlikely they would have sat down and concocted the story.'[60] Tutu's views ignored the fallibility of eyewitness accounts. A key consideration would have been 'hindsight bias effect',[61] whereby memory of an event is shaped by subsequent exposure to information about that event. Exposure to rumours circulating the township or to Mamoepa's midday statement, for example, may well have shaped later recollections of the massacre. A further consideration was the possibility that witnesses had been asked 'leading questions'.[62] After the massacre, they had sat down with ANC officials and monitors sympathetic to the ANC. Stories may not have been concocted, but the wording of questions may have guided narrators to different endings.[63] Pastor Ray Macauley of the Rhema Church also visited Boipatong on the 19th, before publicising growing concerns about state complicity in the violence to congregational audiences. In an open letter to de Klerk, he noted 'a growing perception among moderate whites and blacks that allegations of police/Inkatha collusion are not wild political propaganda, but are in fact true and the Government is, in fact, party to promoting the violence.'[64]

It would take President de Klerk a powerful gesture of conciliation to counter the weight of accusations against him. His activities on June 16 would only reinforce these charges of complicity. He had spent the day in talks with the IFP-dominated KwaZulu Legislative Assembly in Ulundi.[65] Criticising the ANC and its allies, he told the Assembly, 'What we are not prepared to do is to exchange one form of domination with just another form of domination.'[66] He went on,

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59 *Reuters*, 'Don't take revenge for the massacre, Tutu says', 19 June 1992.
60 *The Star*, 'Tutu blasts police "collaboration"', 22 June 1992.
61 Wayne Weiten, *Psychology: Themes and Variations*, Wadsworth (Stamford, 2001), pp. 302-303.
62 Elizabeth F. Loftus, 'Leading questions and the eyewitness report', *Cognitive Psychology*, 7 (1975), pp. 550-551.
63 There were a myriad ways in which such cases might have arisen. For example, instead of being asked 'Did you see *any* white men?', a witness could have been asked 'Did you see *the* white men?', or 'Did you see *the* white men *that Florence Molete saw on your street*?'
64 Allister Sparks, 'Restore police credibility if there is to be any hope', *The Star*, 24 June 1992.
65 *The Star*, 'FW's visit to Ulundi on June 16 under fire', 18 June 1992.
66 Mandela, *Nelson Mandela Speaks*, p. 276.

'Too many politicians are playing political games around the issue of violence and its underlying causes', oblivious to the impending import of his words. This was the second time de Klerk had visited Ulundi. He made his first visit in May 1991, two days before the Swanieville Massacre on the West Rand. On that occasion, a group of 1000 alleged IFP members killed 27 people, injured 30 others, and razed 112 shanty houses in a two-hour dawn attack. Witnesses claimed that the attackers were backed by white balaclava-clad men who refrained from using the firearms they carried.[67]

After receiving news of the massacre, de Klerk issued a statement expressing his shock and revulsion, and resolved to visit Boipatong on Saturday the 20th. Plans for the visit were leaked to the press the preceding evening, giving the ANC time to react. The ANC released a statement before the visit, denouncing it as 'a cynical public relations exercise', warning that de Klerk was not welcome in Boipatong, and demanding 'action, not de Klerk's crocodile tears'.[68] On Saturday, de Klerk and Kriel flew by helicopter from Pretoria to a police depot near Boipatong. They then drove to the township in an armoured Mercedes, accompanied by a security car, several Nyala armoured personnel carriers, and a bus carrying members of the press. A police helicopter circled overhead. Glimpsing the approach of de Klerk's entourage, Boipatong residents could be forgiven for expecting an invasion rather than a conciliatory visit. Peering through the bullet-proof windows of the Mercedes, de Klerk saw the surrounding crowd grow increasingly dense and menacing. People waved placards with statements such as, 'To Hell with De Klerk and Your Inkatha Murderers', 'We Want Police Protection Not Murders', and 'De Klerk Kill Apartheid, Not Us'.[69] Youths encircled his car, hammering on its roof, kicking its sides, and shouting 'Go away, murderer!'[70] Women leaned out of windows and yelled. The Mercedes came to a standstill where de Klerk had planned to get out and address the community. No sooner had the door been opened for him, than his security men pushed him back into the car and ordered the driver to vacate the area.[71] Dodging makeshift barriers in the streets, De Klerk's fleeing car hurtled over sidewalks, 'scattering rubbish bins and sending chickens flying'.[72]

The situation in Boipatong intensified when, after de Klerk's retreat, police gunned down a youth. Residents later told reporters that a policeman on top of a Nyala shot the youth in the neck from 80 metres away. Police claimed that the youth had hacked a crippled old man with a machete before turning on a

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67 Beathur Baker, 'Where a massacre is a way of life', *Weekly Mail*, 3 July 1992.
68 Ottoway, 'De Klerk flees from angry mob', *The Washington Post*, 21 June 1992.
69 Allister Sparks, *Tomorrow is Another Country: The Inside Story of South Africa's Negotiated Revolution*, Struik Book Distributors (Sandton, 1994), p. 110.
70 Patrick Laurence, 'Township pivotal in political war', *The Star*, 22 June 1992.
71 De Klerk, *The Last Trek – A New Beginning: The Autobiography*, Pan (London, 2000), p. 241.
72 De Klerk, *The Last Trek – A New Beginning*, pp. 241-242.

policeman who had called on him to stop.[73] Residents said the machete found beside him had been placed by police. After the youth was shot, residents tried to retrieve his body but were met with a blockade of policemen. A tense standoff ensued on the dusty soccer field where the youth had fallen. The crowd became increasingly angry and provocative, yelling abuse and throwing stones at the police.[74] One man was seen prodding a stick into the face of a policeman, who took a step back and cocked his shotgun.[75] Women bared their breasts, hoping to embarrass the police into withdrawing so the body could be retrieved.[76] Some individuals tried to push through the cordon. Each time they were shoved back, the uproar escalated. When a mortuary van appeared close by, it was attacked and a sergeant on board shot in the hand.[77] When the lieutenant in charge of the van fired several warning shots into the ground with an R-5 rifle, the police blockade nearby reacted spontaneously with a volley of fire at point blank range. Journalist Alistair Sparks had been standing to the side of the faceoff,

> I dropped flat to the ground. ... I saw the face of a man only two or three yards away disintegrate. Beyond, people were falling and rolling in the dust. ... When the shooting stopped there was an eerie silence. I lifted my head and saw a field of carnage. ... The police were still in a line, down on one knee in their firing positions. Ten paces away one of them rose to his feet and began yelling in Afrikaans. "Who told you to shoot?" ... "I told you not to shoot without orders."[78]

Responding to the incident, police claimed brashly that since no casualties could be traced, television images of casualties must have been fabricated by members of the crowd feigning injury or death.[79] *The Star* reported that two people had been killed and at least 29 injured in the shooting.[80] Police failed to acknowledge the onset of a climate in which residents viewed them with intense distrust. Residents would likely have withdrawn with their wounded and dead, with no intention of confirming with police the casualties that they had inflicted.

Later in the day, the arrival of Winnie Mandela revived a beleaguered crowd into brusque cheering. Giving voice to heightening ANC militancy, she exclaimed before a crowd of residents, 'We accept the challenge from de Klerk, from the government and the police. We are going to defend our people. We never said we

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73 Michael Sparks, 'Residents' version of shooting', *The Star*, 22 June 1992.
74 P. A. J. Waddington, 'Report of the inquiry into the police response to, and investigation of, events in Boipatong on 17 June 1992', 20 July 1992, p. 15.
75 Sparks, *Tomorrow is another country*, p. 111.
76 Michael Sparks, 'Residents' version of shooting', *The Star*, 22 June 1992.
77 Waddington, 'Report of the inquiry into the police response to, and investigation of, events in Boipatong on 17 June 1992', p. 15.
78 Sparks, *Tomorrow is another country*, pp. 111-112.
79 Waddington, 'Report of the inquiry into the police response to, and investigation of, events in Boipatong on 17 June 1992', p. 15.
80 Michael Sparks, 'Residents' version of shooting', *The Star*, 22 June 1992.

wanted peace at any price.'[81] Yet the ANC's finale was still waiting in the wings. Less than 24 hours after de Klerk's retreat, ANC leader Nelson Mandela was in Boipatong.

Mandela's visit on the 21st was particularly distressing for him. In the forlorn spaces through which the massacre had moved, the sorrow of the afflicted became acutely tangible to him. As he walked through Slovo Park, a crowd of supporters followed. Their voices rising rhythmically in time to the stamping of their feet, they chanted, 'People were killed here. Tell the truth.'[82] Some called intermittently, 'Bring us guns!' Microphones were hastily erected for Mandela on the township soccer field, where police had opened fire on residents the previous day. The weight of their anger upon him was palpable in his words to them, 'I am convinced we are no longer dealing with human beings but animals ... We will not forget what Mr de Klerk, the National Party and the Inkatha Freedom Party have done to our people. I have never seen such cruelty.'[83] Later in the day, Mandela addressed a rally of 20,000 people in Evaton, next to Sebokeng. He saw banners reading 'Mandela, give us guns' and 'Victory through battle not talk'.[84] He heard the crowds calling to him, 'You are acting like lambs while the enemy is killing our people.'[85] He responded with words that were vehement, but like Slovo and Ramaphosa before him, he backed away from Mamoepa's earlier claims. Boipatong innocents, he exclaimed, 'were not exempt from the bullets and spears of the faceless murderers who work closely with the regime and its security services.'[86] The perpetrators were not part of the state, but they worked with it.

There were misapprehensions in Mandela's response to the Boipatong massacre. In Evaton, he contradicted Sparks' eyewitness account of the shootings that followed de Klerk's retreat. According to him, de Klerk was still in Boipatong at the time. An order to shoot had been given, most likely with de Klerk's approval,

> An officer, in his [de Klerk's] presence gave an order to shoot people without any provocation. It is not likely that an officer would give such an order in his presence without getting his permission. We are back to Sharpeville days and the gulf between the oppressed and the oppressor has overnight become unbridgeable.[87]

In his autobiography, he remembered the massacre as a breaking point,

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81 *Reuters*, 'Angry crowd chases de Klerk from massacre scene', 20 June 1992.
82 Patrick Laurence, 'Township pivotal in political war', *The Star*, 22 June 1992.
83 *Ibid*.
84 Nelson Mandela, *Long Walk to Freedom*, Abacus (London, 1994), p. 724.
85 *Business Day*, 'Comment – Day of mourning', 24 June 1992.
86 Mandela, *Nelson Mandela Speaks*, p. 174.
87 *Ibid*, p. 177.

> Most of the dead were women and children. It was the fourth mass killing of ANC people that week. People across the country were horrified by the violence and charged the government with complicity. The police did nothing to stop the criminals and nothing to find them; no arrests were made, no investigation began. Mr de Klerk said nothing. I found this to be the last straw and my patience snapped. The government was blocking negotiations and at the same time waging a covert war against our people. Why then were we continuing to talk to them?[88]

As we have seen, de Klerk did say something. And as we shall see, a police investigation was conducted and arrests were made. It seemed rash to posit the Boipatong massacre as a case of state-supported violence, when evidence of security force complicity was inconclusive. However, what rang true in Mandela's response was his exasperation over the neglect of black people.

'Mr. de Klerk and his regime,' Mandela told the Evaton crowd, 'bear full responsibility for the violence in the country, and in these townships in particular.'[89] As he explained, government had not moved to quell political violence, particularly rife in Vaal townships, even though it had the capacity to do so. In time-honoured fashion, police had maintained minimal presence in Boipatong, abdicating their duties of maintaining security and order, and allowing a massacre to pass through the township unhindered.[90] Mandela wondered whether such ineptitude was deliberate. He maintained it was dubious that de Klerk should move so resolutely to express his upset over a massacre, when it was preceded by a series of massacres over which he had remained conspicuously mute. Not only had the state allowed violence to continue unabated, its actions had also promoted conflict. Mandela criticised government for bowing to IFP wishes by legalising the carrying of traditional weapons in public, for provocatively foreboding that mass action would end in violence, for de Klerk's June 16 visit to Ulundi where he had brazenly castigated the 'democratic movement', and for neglecting an earlier undertaking to curb violence emanating from hostels whilst phasing them out into family units. He repeated a damning analogy that he had used in May, before a committee of the Organisation of African Unity (OAU), 'just as the Nazis in Germany killed people not because they were a threat to the security of the state, but because they were Jews, the National Party regime is killing our people simply because they are black.'[91] 'With his involvement and that of his party in the violence,' Mandela continued, de Klerk 'had the temerity to visit an area where people's feelings have been inflamed because

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88 Mandela, *Long Walk to Freedom*, p. 724.
89 Mandela, *Nelson Mandela Speaks*, p. 175.
90 Gary Kynoch, 'Crime, Conflict and Politics: An Historical Account of Township Violence in Transition Era South Africa', *wiserweb.wits.ac.za/PDF%20Files/wirs%20-%20kynoch.pdf* (last accessed: 25 July 2009), p. 4.
91 Mandela, *Nelson Mandela Speaks*, p. 176.

their beloved one's were massacred with the same weapons of death which he had legalised.'[92]

Mandela's moral indignation over the Boipatong massacre reflected a somewhat nuanced consideration of state complicity. The state could be complicit either through acts of commission or omission.[93] Third force activity fell overwhelmingly into the acts of commission category, and there was little evidence of it in the Boipatong massacre. Allegations that security forces participated in, supervised or subsidised the attack were highly inconclusive. Mandela did little to moderate convictions that said otherwise; some of his statements even encouraged them. However, he did highlight the massacre as a glaring example of the state's continued neglect of townships during a time of supposed transition. Deliberate failure to adequately police townships was complicity through omission. Later investigations into police activity in and around Boipatong on the night of the massacre ascertained that policing had been 'woefully inadequate'.[94] The ANC was compelled to ask what motives lay behind such neglect, and whether such motives might lend more credibility to allegations of complicity through acts of commission. Indeed, if security forces were inclined to police townships inadequately so as to destabilise them, then what else were they capable of?

Drawing to the end of his oration, Mandela extended a broad appeal for international intervention. He called on the anti-Apartheid movement overseas to strengthen its campaigns, and place renewed pressure on governments to delay the lifting of sanctions against South Africa. He said he found it disturbing that the international community had remained so silent about ongoing massacres in the country, whilst western governments continued to cooperate with de Klerk. In April, Mandela had tried in vain to obtain United Nations (UN) intervention.[95] He would try again, 'I am going to request the Secretary General of the UN to call a special session of the Security Council on the massacres committed by Mr. de Klerk and his regime. I will address that session.'[96] Finally, Mandela proposed

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92 *Ibid*, p. 176.

93 According to the South African Human Rights Committee, direct complicity, or culpability through acts of commission, included escorting or transporting attackers to and from scenes of attack, collaboration in the planning and executions of attacks, provision of weapons to attackers, training and funding of attackers, indiscriminate violence against people attempting to defend themselves from attack, as well as removal of their means of defence. Acts of omission included absence from scenes of violence or excessively late arrival, failure to respond to forewarnings of violence, failure to intervene in violence despite being present, and failure to solve murders despite availability of evidence. See Max Coleman, *A Crime Against Humanity: Analysing the Repression of the Apartheid State*, David Phillip (Johannesburg, 1998), p. 195.

94 Waddington, 'Report of the inquiry into the police response to, and investigation of, events in Boipatong on 17 June 1992', p. 46.

95 Douglas G. Anglin, 'International monitoring of the transition to democracy in South Africa, 1992 – 1994', *African Affairs*, 94, 377 (1995), p. 522.

96 Mandela, *Nelson Mandela Speaks*, p. 179.

the establishment of a disaster fund for victims of violence in the country. The International Committee of the Red Cross would administer the fund. The ANC had already made an initial donation of R100,000. Mandela added that he hoped government would contribute more than it had given to Inkatha.

A three-pronged strategy

In an interview some days after Mandela spoke in Evaton, Professor Tom Lodge, who later became a biographer of Mandela, told *The Citizen* that 'Mandela's speech was not that of a statesman.'[97] Lodge held that the ANC should have maintained a dignified silence about de Klerk's violent reception in Boipatong, rather than making political capital out of it. But while Mandela may have disappointed Lodge, his behaviour was the product of circumstances bearing down upon him. Despite the CODESA II deadlock, de Klerk had seemed as confident as ever. The president's sights were firmly set on winning ANC concessions over minority rights, and ultimately leading a right-of-centre alliance to victory in the country's first democratic polls. Troubled by de Klerk's aspirations, the ANC was also sensitive to an array of possible underhand methods he might use to realise them. While ANC leaders were not as certain of state complicity in the Boipatong massacre as they professed to be, the massacre still raised disquieting questions.

It was common cause that the bulk of the attackers were KwaMadala residents, but how had some of them come to carry AK-47s and other firearms? Years later, an incarcerated Eugene de Kock told journalist Jacques Pauw that while C-10 had not been involved at Boipatong, its weapons may well have been used by the attackers. De Kock noted that the massacre took place during a period of increased weapons supply to Inkatha. Most of these weapons were distributed to hostels.[98] Arming the impi was just one of many possible avenues of third force complicity. It was quite possible that security forces were more directly involved. Three months before the Boipatong massacre, five policemen had been found guilty of murder in the 1988 Trust Feeds Massacre, wherein 11 people had been killed at a funeral vigil. Working with Inkatha and the KZP, SAP members had attempted to disrupt the Trust Feeds community in Natal and oust its residents' association, thereby allowing Inkatha to gain control of the area.[99] The month before the Boipatong massacre, Transkei leader Bantu Holomisa leaked to the press a 1985 top secret military intelligence document in which the incumbent chief of military intelligence requested the 'immediate re-

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97 *The Citizen*, 'Boipatong: SA mood of gloom, depression', 23 June 1992.

98 Jacques Pauw, *Into the Heart of Darkness: Confessions of Apartheid's Assassins*, Jonathan Ball (Johannesburg, 1997), p. 129.

99 Coleman, *A Crime Against Humanity: Analysing the Repression of the Apartheid State*, p. 196.

moval from society' of several Eastern Cape activists, all of whom were murdered two weeks later.[100]

What of police in the Vaal area? Two days after the Boipatong massacre, ANC Youth League member Mosotho Tsotetsi claimed in a sworn statement that in May he had been abducted to KwaMadala. While he was held at the hostel, he allegedly saw Warrant Officer Thys Nolte in a planning session with Inkatha members, plotting to kill local ANC leaders.[101] Tsotetsi claimed that another white man present had offered him money to attack ANC leaders' houses and bomb schools. A week after the massacre, Nicholls et al submitted a memorandum to Goldstone, arguing that the SAP had failed to conduct effective investigations, 'after countless reports to them by the Vaal Council of Churches of ongoing abductions, kidnappings, rape, assaults, intimidation and murders connected to the KwaMadala Hostel.'[102] The memo provided a comprehensive list of such incidents. It did not acknowledge the likelihood that the 'random incidents of violence' it reported were part of a cycle of violence arising in July 1990. Yet, that a cycle of violence existed did not prove the state's innocence. In this instance, police were accused of allowing violence to continue unabated. That Tsotetsi's statement may have been fabricated, and that only a weak body of testimonies alleged police involvement in the Boipatong massacre did not prove state innocence either. Security force members were not unused to covering their tracks. The ANC lacked the time and resources to implicate them through private investigations, and the state had little reason to try and catch out its own personnel. What if the state, or right-wing elements within the state, had plans for more Boipatong massacres? With each massacre, the ANC would appear less capable of protecting its people. And as long as the notion of 'black-on-black' violence retained strong currency, government could continue to hold the ANC responsible. Indeed, if the ANC had mistaken suspicions, the politics of the early 1990s justified them.

Blaming the government for the Boipatong massacre was a matter of tactical expedience. Firstly, regardless of the degree of state complicity, laying comprehensive blame at its doorstep would likely encourage the deterrence of future complicity. If the commanding heights of the state had sanctioned third force activity or ineffective policing of townships, the accusations levelled would bring about pressure for change. If complicity did not travel so far up the state hierarchy, ANC leaders were adamant that the higher echelons still had the capacity to exert change. Curbing the debilitating effects of third force activity and township violence upon the ANC might not be in the interests of govern-

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[100] US Department of State Dispatch, 'South Africa: Human rights practices, 1992', March 1993.
[101] Ray Nxumalo, 'Statement adds fuel to WM exposé of covert operations', *The Weekly Mail*, 19 June 1992.
[102] Nicholls, Cambanis, Koopasammy and Pillay, 'Attempts to prevent the Boipatong Massacre', p. 2.

ment, unless failure to do so posed a severe threat to its public standing. Secondly, the relationship between government and Inkatha posed a grave threat to the ANC. The ANC desperately needed to discredit this relationship. Otherwise, government support would continue to embolden Inkatha militancy. Thirdly, the ANC had just begun a mass action campaign that could not afford to lose momentum. It was imperative that the ANC convince government, the people of South Africa and the world that it had the mass support needed to bring it to power following political settlement. To this end, the Boipatong massacre was precisely what the ANC needed. It provided an indispensable means of gaining popular legitimacy whilst discrediting government, of leaping forward off the back of a staggering opponent.

The ANC had been divided over the meaning of mass action. The hawks among its leadership pressed for mass insurrection, whereas the doves described mass action as activism that would be permissible within the legal confines of an established democracy. In the days after the Boipatong massacre, support for the hawks increased. The growing conviction that the state was complicit propagated a hawkish stance, for it promoted the idea of a ruthless, underhand government that would need transformation forced upon it. Engulfed by a crescendo of anguish and enmity, rising from party radicals and followers on the ground, Mandela changed his irenic tune so it could be heard above the clamour of his audience. He moderated his change of tune to an extent, imploring the Evaton crowd to maintain 'the strictest discipline'. 'Do not allow yourselves to be provoked into violence.'[103] However, his capitulation to party radicals lay in his condemnation of the state with uncharacteristic vitriol. Now that the movement's peaceable leader had validated their anger, ANC members would prove more susceptible to the whims of the radicals. Bowing further to the hardliners, Mandela moved to call off negotiations. He announced that a bilateral meeting between the ANC and the NP on 23 June would be cancelled. In its place, the ANC National Executive Committee (NEC) would hold an emergency meeting. 'The voice of our people is coming out strong and clear. Their demand is: no more contact with the regime.'[104]

[103] Mandela, *Nelson Mandela Speaks*, p. 177.
[104] *Ibid*, p. 178.

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Aftermath:
23rd June – 26th September 1992

Pop singer, Brenda Fassie penned the lyrics for 'Boipatong'[1]

Male vocal:
Thula, thula mama, everything is gonna be alright
Brenda Fassie:
These are the people that have no food, no shelter and nowhere to go
Oh no! They set up homes wherever they go, but it's not easy oh no

Chorus:
They call them squatters, look what they go through, they don't deserve this no no!
Boipatong we give you hope and sympathy
Boipatong may your loved ones rest in peace

They were attacked and brutally killed
I'm talking about babies and old people too
No we must help them to get back on their feet
We can't allow this to happen again

[**Chorus x 2**]
May God help the people, help the people

Male vocal:
We gotta stop all this violence
We gotta mission and peace is the word
We gotta help each other survive
Lets group together and unite as one

[**Chorus**]

Within days, the Boipatong massacre had become a popular symbol of unremitting injustice, of crushing adversity. It represented the dashing of hope, the

[1] Brenda Fassie, 'Boipatong', *Brenda Fassie* [Bonus Tracks], 1994.

distress of transition in collapse. Under the watchful eye of ANC officials, stories of Inkatha and police brutality in the massacre diffused outward from Boipatong. Politicians travelled to the township to pay homage to its dead, heralding its new eminence as a shrine of South African politics. The people of Boipatong and its surrounds were sure to have their say. Welcoming some and shunning others, their interaction with outside politics was decisive. Boipatong was a microcosm for a nascent yet endangered democratic nation, and its people had spoken. On Tuesday June 23, the ANC NEC sat to consolidate its new capital, to translate the symbolic value of the Boipatong massacre into policy. The NEC presented its demands, and as a wave of international intervention welled in response, South Africa teetered increasingly on a brink that would bring government to gradual submission.

ANC NEC demands

In line with Mandela's June 21 assurances, the ANC NEC voted to break off both CODESA and bilateral talks with government. In a statement of the emergency meeting, the NEC described the Boipatong massacre as 'one of the most chilling instances of the consequences of the actions of the FW de Klerk regime. Before the people of South Africa and the bar of international opinion it cannot escape culpability.' The NEC accused the government of pursuing 'a strategy which embraces negotiations, together with systematic covert operations, including murder, involving its security forces and surrogates.' Tacitly acknowledging that it would be at pains to successfully implicate security forces, the NEC complained that the NP's control of the state apparatus allowed it 'the space to deny and cover up its role in fostering and fomenting the violence.'[2] Turning to the question of negotiations, the NEC held that the deadlock could be ascribed to the NP's dogged refusal to prioritise democratic change over white minority veto powers. Emphasizing that democratic change was paramount, the NEC listed a broad range of demands that the state would need to work towards if negotiations were to reconvene.

The NEC demanded that government agree to the creation of a democratically-elected and sovereign Constituent Assembly to draft and adopt a new constitution, as well as the establishment of an Interim Government of National Unity. It demanded that the state end 'its campaign of terror against the people and the democratic movement.' To this end, it called on government to terminate all covert operations including hit squad activity, to demobilise all special forces as well detachments made up of foreign nationals, to suspend and prosecute all officers and security force personnel involved in violence, and to end all re-

[2] Statement of the Emergency Meeting of the National Executive Committee of the ANC, 23 June 1992.

pression in the self-governing and ‘so-called independent states’. The NEC claimed that between July 1990 and April 1992, there had been 261 attacks on township residents by ‘hostel inmates’, leading to 1 207 deaths and 3 697 injuries. It urged government to honour agreements relating to hostels reached with the ANC almost a year before, in particular that they be fenced, guarded permanently by security forces, monitored by ‘multilateral peace structures’, cleared of illegal occupants, searched regularly with the participation of multilateral monitors, and gradually phased out into family units. The NEC demanded further that the carrying of all dangerous weapons in public, including ‘so-called cultural weapons’, be completely banned. In resisting hostel reforms and the banning of traditional weapons, government had protected the interests of the IFP’s predominantly migrant membership in the Transvaal. Its hesitations now faced growing scrutiny. Regarding the Boipatong massacre, the NEC insisted that government agree to the establishment of an International Commission of Inquiry into the massacre. This Commission should also investigate all other acts of political violence, as well as the state of international monitoring. Finally, the NEC demanded the release of all political prisoners, and the repeal of all repressive legislation

In addition to demands aimed at government, the NEC appealed to both South Africans and the international community. It challenged South Africans ‘to unite in a broad movement for democracy, peace and justice now. We all, black and white together, share the responsibility to stop the regime from plunging our country into chaos and anarchy. ... Unity and disciplined struggle remain the surest basis for realising peace and stability.’ It called for a National Day of Mourning in solidarity with the victims of the Boipatong massacre on 29 June, the day that its dead would be buried. It asked the international community to observe the Day of Mourning, in particular to all workers across the world to avoid handling South African goods on the day. It also urged the international community to place renewed pressure on ‘the de Klerk regime to bring violence to an end and to commit itself to solutions based on internationally accepted democratic principles.’ Lastly, it appealed to the United Nations Security Council ‘to convene as a matter of urgency to undertake measures which will help stop the violence and reinforce our efforts aimed at bringing about a democratic order.’

International intervention

As the NEC voted to break off talks, President de Klerk was out of the country on a diplomatic visit to Spain. Cutting short his visit, he was back in South Africa two days later, hoping to stem the tide turning increasingly against him. His

thwarted outing to Boipatong had been labelled his Waterloo.[3] His embittered claims that the ANC had fomented the township's violent reaction to his arrival did little to disarm the invective against him. As TV images of the bungled visit and the casualties left in its trail flashed around the world, diplomats began anticipating foreign demands for international monitoring and sanctions.[4] Both Mandela and the NEC emergency meeting worked to encourage such sentiments by calling for international intervention. Two days after Mandela proposed the establishment of a disaster fund for victims of the violence, which the ANC donated R100,000 to, the US Embassy in Pretoria announced a donation of R700,000.[5] The Embassy's gesture signalled the swift impact of Mandela's call for intervention. Appeals for international monitoring of the transition process in South Africa had first emerged in early 1992. A delegation of church leaders led by Desmond Tutu met with de Klerk in March, urging government to 'recognise the value of an international monitoring mechanism' in coping with instability.[6] Riding high on his referendum victory, de Klerk haughtily dismissed the proposal as an infringement of South African sovereignty and a challenge to the legitimacy of his government.[7] Languishing in the wake of the Boipatong massacre, he began to signal his acquiescence.

Faced with heightened instability and a groundswell of international reaction, de Klerk moved to relinquish a modest amount of control before losing much more. In a meeting with Spanish Prime Minister Felipe Gonzalez, he acknowledged that South Africa needed international support to stimulate the process of negotiations. Official Spanish sources reported that he was willing to accept international mediation as long as there was no interference with the republic's internal affairs.[8] His hasty return to South Africa coincided with the arrival of Chief Emeka Anyaoku, Secretary General of the 50-nation Commonwealth, who sought talks with both de Klerk and Mandela. Anyaoku's visit came amid reports that both the Commonwealth and the European Community (EC) were considering sending observers to the country.[9] Anticipating Britain's assumption of the presidency of the 12-nation EC on 1 July, the British foreign Office invited UN

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3 David Breier, 'Nats wait for the backlash', *The Sunday Star*, 21 June 1992.

4 *Ibid*.

5 South African Consulate General, 'US gives aid to Boipatong victims', *This Week in South Africa*, 23 June 1992.

6 South African Council of Churches, 'Memorandum: Meeting of the SACC Church Leaders Delegation with the State President and his Delegation' [31 March – April 1992], 22 May 1992 in Douglas G. Anglin, 'International monitoring of the transition to democracy in South Africa, 1992-1994', *African Affairs*, 94, 377 (1995), pp. 521-522.

7 Anglin, 'International monitoring of the transition to democracy in South Africa, 1992-1994', p. 521.

8 South African Consulate General, 'De Klerk "will accept mediation"', *This Week in South Africa*, 24 June 1992.

9 South African Consulate General, 'Africa's statesmen may talk peace in townships', *This Week in South Africa*, 25 June 1992.

Secretary General Boutros Boutros-Ghali to London to discuss the South African crisis with John Major's government.[10] Within days of de Klerk's return to South Africa, it was reported that Boutros-Ghali had accepted a government invitation to visit South Africa on a fact-finding mission.[11]

In consenting to international monitoring, de Klerk hoped to appease the ANC whilst alleviating a global chorus of condemnation. In addition to accepting foreign 'fact-finding missions', he showed partial deference to the NEC's insistence on an international commission of inquiry into the Boipatong massacre. He mooted the idea of a suitably qualified person of 'international repute' to assess the Goldstone Commission's pending inquiry into the massacre, as well as 'one or two experts of international standing' to evaluate police investigations into the massacre.[12] Government later appointed the former chief justice of India P. N. Bhagwati to assess Goldstone's inquiry. Dr. P.A.J. Waddington, Director of Criminal Justice Studies at the University of Reading in England, and two London metropolitan police officers were appointed to evaluate police investigations. But as both de Klerk and his opponents were aware, there were different degrees of consent and condemnation. And while de Klerk sought to placate international opinion, the ANC moved to rouse it.

Fortuitously for the ANC, the Council of Ministers of the OAU was meeting in Dakar in late June. Mandela attended, appealing for international intervention. In response, the OAU agreed to call for the 'urgent convening' of the UN Security Council 'to examine the issue of violence in South Africa and to take all appropriate action to put an end to it.'[13] It also mandated a ministerial delegation to take the South African case to New York. While Boutros-Ghali was rumoured to be averse to a Security Council meeting addressing the Boipatong massacre and the breakdown of negotiations,[14] he now accepted the need for Security Council debate and expressed himself in favour of UN intervention.[15] On 15 July, Mandela addressed the UN Security Council in New York, as he had promised in Evaton. 'An extremely critical situation has arisen,' he told his audience, 'We have been confronted with an escalating cycle of violence.'[16] He warned, 'Representatives of the South African government will also address you. However sweet-sounding the words they may utter, they represent a system of white-minority rule to which the United Nations is opposed.' At a news conference the

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10 Arthur Gavshon, 'World moves to defuse deadlock', *The Weekly Mail*, 26 June 1992.
11 South African Consulate General, 'UN Chief in crisis visit to South Africa', *This Week in South Africa*, 29 June1992.
12 *The Star*, 'FW's finesse', 26 June 1992.
13 Anglin, 'International monitoring of the transition to democracy in South Africa, 1992-1994', p. 522.
14 *The Star*, 'UN chief "tried to stop mass action"', 3 August 1992.
15 Eddie Koch, 'South Africa: ANC demands international peacekeeping', *Inter Press Service*, 8 July 1992.
16 'UN envoy to investigate violence', *World News Digest*, 23 July 1992.

same day, Mandela said the ANC 'would like sanctions to be re-imposed', and chided President Bush for lifting them prematurely.[17] After listening to a comprehensive list of allegations of state complicity in violence, the 15-member Security Council voted unanimously to send a representative of the Secretary-General to South Africa to investigate the violence. Former Secretary of State in the Carter administration, Cyrus Vance, was appointed to this position. Concerned that the mass action might result in violence before Vance could report back to the Security Council, Boutros-Ghali sent a provisional 10-member team to South Africa to observe developments.

Even if minor, the novel presence of the UN's provisional observer team in early August effectively demonstrated the function of 'preventative deployment' for which UN observer missions were intended.[18] In Meadowlands, UN monitor Shola Omoreigi helped resolve a potentially violent confrontation between police and a 1,500-strong crowd of ANC supporters surrounding the police station. After tense negotiation, an ANC delegation was allowed into the station to present their demands.[19] Head of the provisional team, Hisham Omayad, attended an ANC rally at a football stadium in Daveyton where some 2,000 people gathered. Tensions were high after police shot dead an ANC member the previous week, allegedly because he had tried to stab a policeman. Police had also refused to grant the ANC permission for a locally-held march. Standing before the crowd, Omayad was accompanied by Colonel Simon Tshabalala, one of South Africa's highest ranking black policemen. As the crowd chanted, Tshabalala translated dolefully for Omayad, 'You ugly thing, Tshabalala, we're going to kill you tonight! You ugly thing, we're going to cut off your private parts!'[20] Omayad defused the situation by securing permission from the officers present for the march to go ahead. To the crowd's jubilation, he also arranged for Tshabalala's departure from the stadium.

As the presence of the UN's provisional observers began to take effect, Cyrus Vance was already in the country. Arriving in late July, he set up office in Johannesburg's august Carlton Hotel. He had planned to attend a Sunday morning church service in Boipatong, but cancelled after senior officials in government warned him it would be unsafe. When Vance met with Judge Goldstone to discuss his commission, the Judge voiced a different opinion. As Goldstone wrote in his autobiography, 'I told him he should make a point of being seen in black townships and not give the impression that his visit to South Africa

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17 *World News Digest*, 'UN envoy to investigate violence', 23 July 1992.

18 'An agenda for peace', UN doc. S/24111, 17 June 1992, pp. 8-9 in Anglin, 'International monitoring of the transition to democracy in South Africa, 1992-1994', p. 521.

19 Michael Sparks, 'UN observers calm hotheads', *The Star*, 7 August 1992.

20 John Carlin, 'The good, the bad and the ugly', *The Star*, 8 August 1992.

consisted only of meetings in a city hotel.'[21] With Vance's approval, Goldstone arranged for regional ANC leader Tokyo Sexwale to accompany the two of them to Boipatong. Showing the prudence he was renowned for, Goldstone also arranged with Themba Khoza to visit Crossroads, a nearby Inkatha-supporting shanty settlement. Goldstone avoided informing government of the visits, thereby obviating government efforts to send large armed police contingents along with them. The journey had a strong effect on Vance,

> The visit to Boipatong and Crossroads was remarkable for Vance – or so he has told me on more than one occasion since then. Within minutes of our arrival, word spread that we were there. Thousands of people converged on us, and at both stops the friendship and appreciation of the people was palpable. ... Following closely upon the Vance visit, a report he submitted to Secretary-General Boutros-Ghali and to the Security Council commended the work of my commission. His comments were reflected in Resolution 772 of the council, dated 17 August 1992.[22]

Resolution 772 urged Boutros-Ghali to assist in strengthening structures set up under the September 1991 National Peace Accord, aimed at ending violence and facilitating socio-economic development and reconstruction in South Africa.[23] These structures included the National Peace Secretariat, tasked with resolving conflict through the coordination of Regional and Local Dispute Resolution Committees,[24] and the Goldstone Commission, formally the Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation. UN Resolution 772 endorsed Vance's proposal that the UN support and help to implement Goldstone's recommendations regarding the banning of dangerous weapons in public, the security of hostels, and the management of mass demonstrations. It also endorsed Vance's suggestion that Goldstone undertake to investigate all armed forces in South Africa, including the SADF and SAP, MK, the PAC's armed wing the Azanian People's Liberation Army (APLA), the KwaZulu Police, and other private security firms. That the UN resolved to work alongside already established South African structures was crucial in eliciting government's cooperation. UN officials knew it was important that the South African government not be given the impression that its authority was being undermined. To this end, Vance called for 'early and detailed discussions' with Pretoria on 'practical arrangements'. [25] Furthermore, Boutros-Ghali emphasized that conducting negotiations was 'uniquely the responsibility of South Africans

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[21] Richard J. Goldstone, *For Humanity: Reflections of a War Crimes Investigator*, Witwatersrand University Press (Johannesburg, 2000), p. 19.

[22] Goldstone, *For Humanity: Reflections of a War Crimes Investigator*, pp. 19-20.

[23] *UN Chronicle*, 'Deployment of UN Observers authorised for South Africa', December 1992.

[24] *National Peace Accord*, September 1991, Ch. 7, in South African Institute of Race Relations, *Survey of Race Relations 1991/92* (Johannesburg, 1993), p. 548.

[25] UN doc. S/24389, 7 August 1991, p. 17 in Anglin, 'International monitoring of the transition to democracy in South Africa, 1992-1994', p. 524.

themselves'.[26] The Security Council authorised the Secretary-General to deploy UN observers in the country 'as a matter of urgency' to help put an end to the violence.[27] Boutros-Ghali initially planned to send 30 observers, but later raised this number to 50. Resolution 772 also called upon international organisations such as the OAU, the Commonwealth and EC to deploy their own observers in South Africa with the UN and the NPA structures. The UN Observer Mission in South Africa (UNOMSA) arrived in mid-August, and over the ensuing two months was followed by missions from all three of the aforesaid organisations.

Staring into the abyss

The period between the Boipatong massacre and the burgeoning of international monitoring in August saw the country balanced precariously on a knife's edge. *The Star*'s editorial spoke despairingly of staring into an abyss.[28] South Africa appeared cut adrift from the prospect of negotiated transition, floating toward some unfathomable place. Leaders in both government and the ANC recognised the volatility of the new status quo. Both sides trod carefully. In a press release on June 25, de Klerk invoked pious sentiments to soothe a worried nation, 'It is the government's sincere prayer that the atrocious events at Boipatong will finally cause all South Africans to reflect and that the almighty God, in whose hands the destiny of peoples and nations is, shall provide for a speedy end to the violence.'[29] The same day, the ANC-aligned Vaal Council of Churches (VCC) held a memorial service at a Dutch-Reformed Church on the Vaal. The PAC held a memorial service the following day at an Anglican church in Johannesburg, after donating R20 000 to the ANC's proposed disaster fund.[30] The period of public mourning would culminate on Monday the 29th when the Boipatong massacre's victims would be buried at a mass funeral. In anticipation of the funeral, de Klerk announced that all government employees would be given time off to attend this and other related mourning services. He called upon the private sector to make similar arrangements.

The ANC declared June 29th a national day of mourning, calling the occasion 'a time to bury the dead with dignity ... a time to say: Not one more death! ... a time for all to commit themselves to move rapidly towards democracy, peace and justice.'[31] The ANC noted that there would be a stay-away in the Vaal as a tribute

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[26] *UN Chronicle*, 'Deployment of UN Observers authorised for South Africa', December 1992.
[27] UN Security Council, *Resolution 772 (1992) Adopted by the Security Council at its 3107th meeting, on 17th August 1992*.
[28] *The Star*, 'Editorial Comment: Staring into the abyss', 23 June 1992.
[29] *SAPA*, 'Press Release by the State President, Mr. F.W. de Klerk', 25 June 1992.
[30] Kenosi Modisane, 'ANC, PAC call for day of mourning', *The Sowetan*, 23 June 1992.
[31] African National Congress, 'Press Release on the 29 June – National Day of Mourning', *SAPA*, 29 June 1992.

to the local community's loss. Workers in Vereeniging and Vanderbijlpark had been on strike since the 24th, insisting the strike would continue until Iscor agreed to demolish KwaMadala and pay compensation to the victims of the Boipatong massacre.[32] While refusing to pay compensations, Iscor quickly announced its intention to close KwaMadala. However, it maintained that new accommodation would first have to be found for KwaMadala's inhabitants. It proposed that they be moved to KwaMazisa Hostel, the ANC stronghold from which many of them had fled after July 1990. The National Union of Mineworkers (NUM) rejected this inadequate proposal and continued with plans for the strike. Despite the Vaal stay-away, the ANC asserted that there would be no national stay-away. Instead, locally organised prayers, lunchtime services, and demonstrations would be taking place throughout the country. It called upon the international community to observe the day by not handling South African goods or carriers. It also appealed 'to all our people to remain calm, and ensure that the dead are buried in a disciplined and dignified manner.'[33] Despite heartfelt pleas for calm from both government and the ANC, Boipatong's day of mourning would deepen the darkness of the abyss.

The prevailing atmosphere in and around the neighbouring townships of Boipatong and Sharpeville on Monday the 29th was a far cry from the reposeful observances to which the ANC had appealed. Crowds of mourners gathered in Boipatong for a mass procession to the Sharpeville Cemetery, where 37 of the Boipatong massacre's victims were to be buried. They looked on as youths hacked, stabbed and set alight a suspected Inkatha supporter.[34] The streets of Boipatong had taken on the appearance of a warzone. Metre deep trenches had been dug, fully-grown trees felled with chainsaws, and metre-high barricades constructed out of boulders. Piles of rubbish lay smouldering after being burnt at night to light up the township's streets.[35] ANC supporters paraded with AK-47s, R-1 rifles, shotguns and pistols, many of them wearing camouflaged military attire.[36] That the media would have a field day was clear well before the funeral had started. However, the day's reporting opportunities would leave many members of the press visibly afflicted.

Several foreign and local photographers and reporters became unwilling participants in the mayhem they had come to observe. Sipa-Press photographer Johan Kuus was surrounded by youths wearing PAC T-shirts. One knocked him to the ground with a stick, before others began stoning him. Kuus reported that black photographers and another PAC supporter nearby came to his rescue. The PAC

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32 Dirk Hartford and Wilson Zwane, 'Vaal "faces strike over Boipatong"', *Business Day*, 24 June 1992.
33 ANC, 'Press Release on the 29 June – National Day of Mourning', *SAPA*, 29 June 1992.
34 Themba Khumalo, 'Gunshots echo a troubled history', *The Citizen Press*, 5 July 1992.
35 David Greybe, 'Comment on Boipatong', *SAPA*, 30 June 1992.
36 David Greybe, 'Comment on Boipatong', *SAPA*, 30 June 1992.

supporter was attacked afterwards 'for helping a white man'.[37] Kuus escaped with an injury leaving him with partial sight in his right eye, after a stone hit him in the head.[38] Joao Silva was photographing youths in PAC T-shirts when one of them came up and kicked him in the head. Guy Adams, who accompanied Silva, had his hair pulled and a shotgun shoved in his face. British Broadcasting Corporation (BBC) journalist Tom Carver was attacked by a man chanting the PAC slogan 'One settler, one bullet'. As Carver recalled, 'He hit me with a club across the head above the ear. When I went down he got me again on my hand. My hand is fractured.'[39] Unidentified youths were involved in a number of other incidents. Two other journalists were attacked, including Nic Erasmus from *The Citizen* who was dragged from his car on his way to the funeral. As 20 or so youths surrounded Erasmus, he was struck in the face, amid shouts of 'Kill the white pig'. The youths fled when they saw a police vehicle approaching. In Vanderbijlpark nearby, youths chased white commuters, and a white man sitting on his veranda was struck in the foot when shots were fired from a passing minibus taxi. Conflict encompassing KwaMadala and its black township surrounds had exhibited a spill-over effect. But not only had violence spread, it had been directed explicitly at whites, at whites attending the funeral and whites in their nearby suburb. The PAC's Africanist underpinnings had been manifested in malevolent form. The racism of the PAC had overshadowed the non-racialism of the ANC at a high-profile event.

An estimated 40,000 people attended the funeral.[40] The ceremony brought together the ANC, the SACP, the Azanian People's Organisation (AZAPO) and the PAC in a show of unity, with the PAC pledging itself to the mass action campaign.[41] Aggressively opposed to negotiations, the PAC was able to align itself with the ANC's growing hawkish tendencies. Numerous notables attended, including former Zimbabwean President Canaan Banana, leader of the London-based Anti-Apartheid Movement Archbishop Trevor Huddleston, and the Transkei's military ruler Bantu Holomisa. These dignitaries looked about uneasily as the cemetery reverberated with gunfire. Rather than running for cover, crowds responded with ululations and toyi-toying. Some youths danced around and upon graves, firing at random. Older women shouted at them to quieten down, 'Thula!', while younger men roared their approval.[42] A police helicopter monitoring the event was fired at. A boy of less than 12 was seen strutting around with

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37 *The Star*, 'Photographers assaulted', 30 June 1992.

38 Recalling a previous incident in which AWB members had assaulted him, Kuus remarked that he now considered himself 'beaten up equally'.

39 *SAPA-Reuter*, 'Mandela condemns attacks on journalists', 1 July 1992.

40 *The Saturday Weekend Argus*, 'A militant mood in the Vaal', 2 July 1992.

41 South African Consulate General, 'Black groups pledge unity at funeral', *This Week in South Africa*, 30 June 1992.

42 David Greybe, 'Comment on Boipatong', *SAPA*, 30 June 1992.

a Makharov pistol in his belt. The crowd's reception of different speakers was further indication of heightened mass militancy. As journalist Themba Khumalo remarked, speeches couched in diplomatic language, such as Ramaphosa and Tutu's, received a lukewarm response. SACP leader Chris Hani and COSATU General-Secretary Jay Naidoo 'emerged as the darlings of the mourners with their ultra-hardline speeches'.[43] 'De Klerk has declared war on our people,' Naidoo exclaimed, 'we gather here to bury victims of this war.' 'Remember de Klerk,' he thundered, 'we are not your kitchen maids, we are not your garden boys. Every time we try to negotiate, the government tells us to go to hell. We will take them to hell with us.'[44] 'These killings give us no option but to fight to the end,' said Hani.[45] He called upon the crowds to be prepared 'for rolling mass action ... until we defeat de Klerk' and his 'government of vampires'.[46]

The mass funeral deepened trepidation that the country's stability was seriously at risk. Journalist David Greybe observed ominously that 'Boipatong, Sharpeville, Sebokeng and Bophelong have, more than any other area in the country, come to represent the new face of militant politics.'[47] A local ANC leader interviewed on the day insisted that 'CODESA means nothing here. We have our own agenda.' Tellingly symbolic of changing times, the police station where the Sharpeville Massacre had occurred in 1960 was now unable to operate. 'When we see a policeman in the streets nowadays, we disarm him.'[48] As *The Weekly Mail*'s editorial recognised, the new militancy had more to do with people on the ground than the orators they came to applaud,

> Anyone who attended the funeral of the Boipatong massacre this week would have been left in no doubt: the mood in the townships is fierce, a mixture of disappointment and anger urgently seeking an outlet. The message of the day was expressed more passionately by the crowd than any of the podium speakers: President F W de Klerk is no longer trusted, the security forces are blamed for the escalation in violence and there is no tolerance for meaningless game-playing negotiations.[49]

After the funeral Archbishop Huddleston warned, 'The Boipatong massacre is a sign of the danger, horrific danger for the future.' He urged 'the international community to take notice and to act, to act very speedily because of the immense dangers that the Boipatong massacre has thrown up'.[50] The funeral made South Africa's descent into a state of war more conceivable. Would it be a fragmentary

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43 Themba Khumalo, 'Gunshots echo a troubled history', *The Citizen Press*, 5 July 1992.
44 O'Padraig, unpublished manuscript, Witwatersrand University Historical Papers Archive, p. 10.
45 Themba Khumalo, 'Gunshots echo a troubled history', *The Citizen Press*, 5 July 1992.
46 Shaun Johnson, Bronwyn Wilkinson and Brian Sokutu, 'Boipatong mourners slam FW', *The Star*, 30 June 1992.
47 David Greybe, 'Comment on Boipatong', *SAPA*, 30 June 1992.
48 *Ibid*.
49 *The Weekly Mail*, 'A fierce and angry message', 3 July 1992.
50 *SAPA*, 'Huddleston on Boipatong Massacre', 30 June 1992.

upheaval of localised conflicts tearing at the national fabric? Or a mass insurrection spearheaded by an ANC capable of galvanising a revolutionary mass through the articulation of a common purpose? Would the sheltered lives of whites be exposed? Few South Africans had any idea what might happen, and found themselves staring ever more into the gloom.

Record of Understanding

South Africa's deepening chasm would become the genesis of a new politics of conciliation. In the wake of the funeral, government began to signal its capitulation. In a statement on 1 July, de Klerk bemoaned that the occasion had been 'exploited to whip up emotions and to harden attitudes against negotiations and reconciliation'.[51] He emphasized that allegations of state complicity in the Boipatong massacre were 'devoid of truth', and that police investigations pointed with increasing certainty to KwaMadala as the sole springboard of attack. The following day de Klerk warned the ANC against the forcible overthrow of government. But in the same statement, he proposed a minimum three-year term for an interim constitution, and acknowledged that government was willing to discuss the case for international monitoring with the ANC.[52]

A month later, on 5 August, Mandela stood on a makeshift platform in front of the Union Buildings in Pretoria, before an estimated crowd of 90 000 people, 'basking in the glow of a successful two-day, ANC-sponsored general strike'.[53] Jonathan Manthrope of *The Ottawa Citizen* saw the event as a watershed. As backroom negotiations had ground on over the previous weeks, the ANC had increasingly lost control of its supporters in the townships, where violence continued unabated. The two-day strike had re-consolidated the authority of ANC leaders. Four million workers had stayed at home.[54] Some chose to, others had no choice. Regardless, the ANC demonstrated that it could bring the entire country to a halt. According to Manthrope, the occasion set the stage for the renewal of constitutional negotiations between Mandela and de Klerk. Indeed, this massive gathering in the gardens of the South African President's office could not have happened without his blessing.[55] Sensing the ANC's changing fortunes, Ramaphosa exclaimed that it would not be long before Mandela was at work in the presidential quarters in the Union Building's left wing. Addressing the rally, Mandela warned government of more mass action to come if it did not

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51 *SAPA*, 'De Klerk expresses concern at Boipatong funeral; calls for calm', 1 July 1992.
52 South African Consulate General, 'FW calls for three-year interim rule', *This Week in South Africa*, 3 July 1992.
53 Jonathon Manthrope, 'Mandela back in charge as stage set for new talks', *The Ottawa Citizen*, 6 August 1992.
54 *Ibid*.
55 *Ibid*.

meet the demands set out in the wake of the Boipatong massacre. While there were 14 demands, he said, these really boiled down to just three: government action to end township violence, agreement to move swiftly to an appointed multi-racial interim government of 'national unity', and a commitment to move from there to a freely-elected constituent assembly.

Three weeks later, government announced sweeping reforms to the police force. A third of the white-only top command was compulsorily retired, paving the way for the country's first black generals.[56] Several black officers would begin a special month-long training course and be promoted to major-generals if they passed. Furthermore, a permanent board of inquiry headed by a judge would be set up to investigate charges of police misconduct. These reforms followed a peak in the ANC's mass action campaign, as well as a string of damning disclosures on security force conduct. In late July Dr. Waddington released a scathing report on the SAP's response to and investigation of the Boipatong massacre. Several days later, prominent independent pathologist Dr. Jonathan Gluckman released files concerning more than 200 deaths in police custody, 90 percent of which he attributed to police negligence or misconduct. Gluckman called police 'out of control'.[57] In late August, head of military intelligence in the Ciskei homeland Gert Hugo came forward with allegations of third force activity. 'The third force,' said Hugo, 'is out of control, and de Klerk and his ministers don't know even half of what is going on today.'[58] After being court-martialled for the theft of $7000 of Ciskei government funds, Hugo became the most senior security force member to allege the existence of a third force. He provided *Newsweek* with a confidential memo from January 1991, outlining a plan to defeat the ANC 'enemy' with the assistance of surrogate black groups referred to as 'force multipliers'.[59] State credibility was crumbling. A September opinion poll indicated that de Klerk's approval ratings amongst urban blacks had fallen from 60 percent in August 1991 to 27 percent.[60]

In late September, government and the ANC met to discuss the resumption of negotiations. Both sides had been deeply rattled in mid-September when Ciskeian security forces shot dead more than 28 people, after ANC hawk Ronnie Kasrils led a mass of ANC supporters across the Ciskei homeland border toward its capital Bisho. The Bisho Massacre rekindled fears of the South African abyss. Government and the ANC now moved decisively to resume negotiations. The outcome of their discussions, the Record of Understanding, signified a turning

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[56] Bill Keller, 'Pretoria forces retirement of many officials in police', *The New York Times*, 27 August 1992.
[57] US Department of State Dispatch, 'South Africa: Human rights practices, 1992', March 1993.
[58] Joseph Contreras, 'Charges of a "third force" plague de Klerk', *Newsweek*, 14 September 1992.
[59] *Ibid*.
[60] Pereira, 'The weight of no evidence', p. 3 in Taylor and Shaw, 'The Dying Days of Apartheid', p. 23.

point. Signed by de Klerk and Mandela on 26 September, the Record of Understanding made provision for an elected constitution-making body. This constitution-making body would act as an interim government of national unity, operate in terms of an interim constitution, and would 'have adequate deadlock-breaking mechanisms'.[61] All political prisoners whose release could 'make a contribution to reconciliation' would be freed.[62] Government undertook to implement security measures such as the fencing and policing of hostels associated with violence. Its progress would be reported to the Goldstone Commission, the National Peace Secretariat, and UN observers. It undertook further to ban the carrying of dangerous weapons on all public occasions, subject to exemptions based upon guidelines prepared by the Goldstone Commission. The granting of exemptions would be entrusted to one or more retired judges.

The three-pronged strategy, employed by the ANC after the Boipatong massacre, had proved an outright success. Firstly, the ANC had created and effectively harnessed the symbolic power of the massacre to add significant momentum to its mass action campaign. As the Boipatong massacre funeral showed, the ANC sometimes lost control of this momentum. But while both sides trod carefully in the face of the abyss, it was government that was brought to its knees. The abyss eventually played to the advantage of ANC brinkmanship. The mass action campaign culminated at the Union Buildings, drawing numbers that had not seemed possible prior to the Boipatong massacre. Secondly, the IFP had been effectively sidelined, relegated rightward, as government took increasingly to cooperation with the ANC. Soon after September 26, the IFP announced its withdrawal from negotiations, citing the bilateral nature of the Record of Understanding. In October, Buthelezi co-convened a 'Conference for Concerned South Africans' with president of Bophuthatswana Chief Lucas Mangope and Ciskei's military ruler Brigadier 'Oupa' Gqozo. Delegates included representatives of the Conservative Party. The conference called for an abolition of Codesa and its replacement by a more representative forum, as well as for a halt in the implementation of the Record of Understanding.[63] Thirdly, in the face of heightened international scrutiny, government had moved decisively to end the violence. Hostels were fenced and the carrying of traditional weapons checked, much to IFP chagrin. Extensive reform to security forces was put in progress,

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61 African National Congress and National Party, 'Record of Understanding', section 2(a), 26 September 1992, http://www.anc.org.za/ancdocs/history/record.html, (accessed 26 June 2009).

62 *Ibid*, section 2(c).

63 South African Institute of Race Relations, *Survey of Race Relations 1992/1993* (Johannesburg, 1994), p. 37.

gradually stymieing so-called third force activity.[64] New rules had been created, paving the way for a new democratic order.

Less than a year later, in August 1993, Zulu 'impi' ran amok through Tembisa, an ANC township north-east of Johannesburg, killing at least 30 people.[65] The ANC called for an immediate independent investigation into eyewitness reports that police had transported attackers away from the scene. There was no need to take the matter any further, no need to accuse government of complicity or call for mass action.[66] The only notable pilgrimage to Tembisa was de Klerk's, and no one chased him out. The date for South Africa's first democratic elections had already been set.

Speaking to context

The Boipatong massacre was an event, but more importantly it was an idea, comprised of myriad narratives. These narratives interacted, as conversations between many narrators. Struggles over meaning arose, and as they progressed, aberrant meanings were shed. A dominant narrative solidified, a story with a moral, with protagonists and antagonists, victims and perpetrators. This story gave rise to more assertive ANC policies, to global censure and national panic, contributing ultimately to government reform. How had the ANC made so much political capital out of the Boipatong massacre when the truths it posed were so contentious? The performances of both ANC leaders and members in the wake of the massacre did much to secure its meaning. Yet, the ANC's fortunes were also intimately tied to the context in which the event had occurred. Seized upon as a symbol of a broader picture in which the state, in collaboration with the IFP, sought to destabilise the ANC's support base, Boipatong accentuated those contextual facets that discredited de Klerk's rule. However, while this bigger picture was credible, it drew focus away from the truth of the Boipatong mas-

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64 Negotiations over the military's future began in November. The same month saw the Goldstone Commission conduct a raid on the offices of African Risk Analysis Consultants (ARAC). ARAC turned out to be a front company for an office of military intelligence known as the Directorate of Covert Collection (DCC). The DCC employed Ferdi Barnard, a former member of the CCB, previously imprisoned for three murders. Its repertoire included the murder of activists, the gathering of information with which to blackmail high-profile opponents of Apartheid, and the running of a brothel for the purposes of photographing important people in the throes of compromising situations. After a confidential state inquiry, December saw seven SADF senior officers placed on compulsory leave and 16 others (among them two generals and four brigadiers) placed on compulsory retirement, with substantial severance packages, for 'unauthorised activities' linked to political killings. After 'Ferdigate', the security forces no longer seemed so impregnable. The National Intelligence Service (NIS) briefed the ANC on its functions in March the following year. See Goldstone, *For Humanity: Reflections of a War Crimes Investigator*, pp. 40-46, and Taylor and Shaw, 'The Dying Days of Apartheid', pp. 23-24.

65 O'Malley, 'Boipatong', p. 12.

66 *Ibid*.

sacre itself. As investigations and hearings set about dissecting the massacre, the ANC’s dominant narrative began to lose credibility.

5

Bones of contention: 17th June 1992 – 24th November 2000

> ... it was Tutu, weeping after the [National] Party's submission, who declared: How can de Klerk say he did not know? 'I personally met with him so many times to tell him that simple people, people with no reason to lie, are talking about how white people were involved in the massacre at Boipatong.'
> 'You can't give up,' I plead with Tutu in my head. 'If you give up, then all is lost.'
> And I ask: 'Are you saying you need the National Party?'
> 'It hurts me,' says Tutu, 'when I think of the quiet strength and resilience and magnanimity of the victims, that there is just no response from their side. And for reconciliation we need everybody.'
>
> Antjie Krog, *Country of My Skull*, 1998[1]

The Boipatong question was subjected to a series of investigations, hearings and reports, which together extended over a period of more than eight years. During this period, its meaning was repeatedly contested. New narratives arose, sometimes fading quickly, sometimes lasting longer. New characters lifted their heads. Old personae changed face. The Boipatong massacre became more detailed as a narrative, but also more obscure, as more and more questions were asked but left unanswered. This chapter examines areas of contention, where contestation over the massacre has been the sharpest. While these pockets of competing representations may obfuscate attempts to reveal the forensic truths underlying the massacre, they provide a mosaic of windows into the politics of truth that has defined the transition. These bones of contention suggest duplicity on the part of both the state and the ANC. Certain revelations have cast renewed suspicion upon the state and call for further investigation. Some suggest that the ANC has repeatedly sought closure over Boipatong, whilst concealing the fact that it has

[1] Antjie Krog, *Country of My Skull*, Random House (Johannesburg, 2002), p. 158.

never had the evidence at its disposal to justify closure. Close inspection of these politics of truth also reveals important interactions on the ground, in many ways distinct from the loftier performances that so often misconstrued them.

Early investigations

Allegations of Koevoet involvement

On Wednesday 24 June 1992, the day after the NEC broke off negotiations, a special police task force swooped in on the privately-owned Greenside Colliery in Witbank, north east of Johannesburg. The Goldstone Commission authorised the snap raid after counsel for the ANC informed it of 'suspicious people' housed separately at the mine. It was alleged that these people were armed, carried radios, and spoke a foreign language.[2] ANC sources suspected these 'people' of participating at Boipatong. Searching their barrack-like living quarters, the task force discovered trunks containing R-1 rifles, pistols, and ammunition. It was soon revealed that the 40 or so occupants were ex-members of the notorious counter-insurgency unit Koevoet.

At an emergency meeting convened the following day, the ANC informed the Goldstone Commission of a man staying at the mine who had allegedly admitted to being involved in the Boipatong massacre. In the words of ANC lawyer Matthews Phosa, the man had told ANC members he was 'sick and tired of what was happening as we were expected to kill nine-month old babies and mothers'.[3] The Commission heard the testimony of Mandla Mngomezulu, a security guard at the mine and an ANC and Numsa member. Mngomezulu explained that Jeremiah Shikongo, an ex-Koevoet member from Ovamboland Namibia, had confided in him after being 'asked by his employer' why he had refused to shoot at Boipatong.[4] Instead of participating in the killings, Shikongo had waited and kept watch beside the Volkswagen Kombi that transported them to the township. Fearing that his reluctance to participate had put his life in danger, he approached Mngomezulu in the hope that either the ANC or Numsa could help him. However, Shikongo denied these allegations, casting doubt on the ANC's version of a repentant accomplice in third force violence. Shikongo said he barely knew Mngomezulu and had never been to Boipatong. He had come to South Africa in 1990 because ex-Koevoet members struggled to find employment in post-independence Namibia. His work in South Africa involved 'following the tracks in stock theft', as well as preventing the theft of copper wire from Post Office installations.[5] While Mngomezulu claimed Shikongo and his colleagues went out

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2 *The Star*, 'Koevoet link to massacre', 26 June 1992.
3 *Ibid*.
4 *New Nation*, 'Denials are put to test', 3 July 1992.
5 John Perlman, 'Massacre: police implicate hostel', *The Saturday Star*, 27 June 1992.

at night with their weapons wrapped in blankets, only to return the following morning, Shikongo denied that they ever carried weapons. Goldfields, the company that owned the colliery, stated that the manager of Greenside and the SAP had arranged for members of the police to be temporarily housed 'while such members were busy with crime prevention activities in the area'.[6]

On Friday 26 June, as the Goldstone Commission sat for a second day to hear evidence of Koevoet involvement, Police Commissioner Johan van der Merwe held a press conference several blocks away at the SAP's Pretoria Headquarters. 'A fairly clear picture' of what happened at Boipatong had emerged, he said. The interrogation of some 600 KwaMadala residents had revealed that between 200 to 300 men from the hostel attacked Boipatong the previous Wednesday night. A search of the hostel had uncovered 276 spears, 44 bars and other dangerous weapons. Forensic testing revealed traces of blood on some of the weapons.[7] Allegations of Koevoet involvement were 'flagrant lies aimed at discrediting the SAP'.

Beating an offensive retreat

While Goldstone sat to consider the possibility of security force complicity, the SAP and ANC appeared equally resolute over the matter. The SAP argued that evidence pointed unambiguously to KwaMadala residents as the sole perpetrators, whereas the ANC charged the state with direct complicity all the way up to the office of President. While both stances seemed premature, it was the probity of ANC rhetoric that Goldstone questioned in a statement on 6 July,

> No evidence has been submitted to the Commission which in any way justifies allegations of any direct complicity in or planning of current violence by the State President, any member of the Cabinet or any highly placed officer in the South African Police or Defence Force.[8]

Goldstone regarded public statements that made competing claims as 'unwise, unfair and dangerous'. Evidence suggesting otherwise would be subjected to 'thorough investigation'.

There were straw men in the ANC's hurried rejoinder. Firstly, the ANC interpreted Goldstone's announcement as a finding that those mentioned were not directly involved, rather than a statement of fact that the commission had received no evidence of their direct involvement.[9] The ANC 'found it odd' that the Commission could 'make so conclusive a determination without evidence being laid before it.'[10] Predictably, de Klerk's government saw no advantage in cor-

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6 *Ibid*.
7 *Ibid*.
8 Statement by the Goldstone Commission, *SAPA*, 6 July 1992.
9 *Ibid*.
10 *The Sowetan*, 'Violence: Goldstone clears government', 7 July 1992.

recting such distortions. It welcomed Goldstone's announcement, and accused the ANC of reckless propaganda. Government ignored a string of comments in the same statement, criticising it for ignoring Goldstone's recommendations concerning hostel reform, the bearing of dangerous weapons in public, and the use of 32-Battalion on the East Rand.[11] While unsure of the veracity of allegations linking ex-Koevoet members to the Boipatong massacre, Goldstone was assuredly scathing of their deployment in Witbank,

> Whether or not groups of former Koevoet members employed by the South African Police are involved in incidents of violence, the infamous reputation of Koevoet is such that the very existence of such a group in South Africa in 1992 is calculated to cause yet further distrust and suspicion of the Security Forces. The wisdom of employing such a group or groups must be open to serious question.[12]

Ignoring any favours Goldstone's announcement might have done it, the ANC constructed a second straw man, accusing the Commission of limiting its terms of reference to direct complicity, or acts of commission.[13] Yet, just three paragraphs after discussing evidence of 'direct complicity in or planning of the violence', the Goldstone Commission assured the public it would 'investigate any allegations concerning the unwillingness or inability of the Security Forces to prevent violence and those relating to the adequacy or sufficiency of steps taken by them to do so.'[14] Acts of omission were well within Goldstone's purview.

While the ANC misconstrued Goldstone's terms of reference, the criticism it levelled at the Commission signalled the beginnings of another tacit step backward. In the week after the Boipatong massacre, Slovo, Ramaphosa and Mandela had subtly retreated from Mamoepa's claim that security forces participated in the killing of residents at Boipatong. While equally condemnatory in tone, their rhetoric suggested rather that security forces had played collaborative, supervisory and financially supportive roles in the massacre. Thus, the state was directly complicit, but through acts of commission that excluded the actual enactment of violence. After Goldstone's announcement, the ANC emphasized the importance of investigating the state for complicity through acts of omission. Touted as a criticism, this emphasis marked the precaution of an ANC increasingly sensitive to the possibility that the state would not be found directly complicit in the Boipatong massacre.

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11 The Commission found uncontested evidence that in April members of 32 Battalion went back to Phola Park and committed 'unspecified acts of violence', after local SDU members had fired on SADF personnel (US Department of State Dispatch, 'South Africa: Human rights practices, 1992', March 1993).

12 *Ibid*.

13 *Business Day*, 'Judge limited by terms of reference – ANC', 7 July 1992.

14 Statement by the Goldstone Commission, *SAPA*, 6 July 1992.

Dr. Waddington's account of police operations in Boipatong

Having overlooked Goldstone's commitment to investigations of complicity through acts of omission, the ANC also seemed unaware that Dr. Waddington and his team had already been in the country for almost a week, conducting an inquiry into 'actions taken by the SAP to maintain law and order in and around Boipatong both immediately before and during 17 June, and subsequently', as well as the SAP's 'investigation into the massacre itself'.[15] Waddington's 49-page report was released on 23 July. It gave a damning indictment of police conduct, identifying a host of flaws in procedure and judgement, which showed the SAP to suffer from 'serious organisational problems'.[16] Among its chief criticisms, the report noted 'an insufficient awareness of community relations'. Waddington's account of SAP activity in Boipatong after the massacre suggested that the intransigence of white policemen, the endangered heirs of a crumbling apparatus of oppression, had done much to rouse the tides of accusation that soon welled against the state.

Sergeant Schlebusch of the ISU was allegedly the first policeman to arrive on the scene at Boipatong. Whilst investigating the home of the slain Florence Moshupe, several other residents purportedly approached him, saying they had also been attacked and that the assailants were from KwaMadala. There were young men amongst these residents who threatened to take revenge against the hostel. These youths were reportedly 'highly excitable, but not hostile towards the police'.[17] Two ISU vehicles were withdrawn from the township to patrol the highway so as to prevent a counterattack. By 3:00am, young township men armed with axes and other weapons were gathering on street corners around fires, but showed no hostility to police or the detective taking photographs of crime scenes.[18] However, as the early morning drew on, township youths became increasingly aggressive, shouting abuse at police on patrol. The youths told them to leave Boipatong, asking why they had been so conspicuous after the event and

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[15] P.A.J. Waddington, 'Report of the inquiry into the police response to, and investigation of, events in Boipatong on 17 June 1992', 20 July 1992, p. 5.

[16] Waddington placed these problems under four headings. First, the SAP was disabled by 'inadequate command and control'. Poor deployment of personnel allowed the massacre to be perpetrated un-hindered. Second, the SAP's ability to respond rapidly and effectively was undermined by 'ineffective intelligence and contingency planning'. Routine assessments of variations in unrest around Boipatong were under-developed. Police lacked contingency plans to deal with unrest arising from KwaMadala, a regular source of policing problems. Third, 'unstructured investigative procedures' inhibited the gathering of evidence. Crime scenes at Boipatong were subjected to superficial forensic investigation by one overburdened detective. The SAP's investigation had been confession-oriented, focussed on obtaining confessions from suspects and the incrimination of others. Without supporting evidence, obtained from township residents and thorough forensic investigation, this approach seemed 'doomed to failure'. Finally, the report reprimanded the SAP for 'insufficient awareness of community relations'. Waddington, 'Report of the inquiry into the police response to, and investigation of, events in Boipatong on 17 June 1992', p. 46.

[17] *Ibid*, p. 8.

[18] *Ibid*, p. 10.

so absent before it. Just before daybreak, they began throwing stones at SAP vehicles. By 7:30am, three additional vehicles had been ordered to reinforce police patrols, bringing the total to seven. Township hostility responded in kind. Soon, police were firing tear gas, rubber bullets and birdshot at disorderly groups.

The detective who had photographed 11 bodies before leaving Boipatong at 3:00am was summoned again at 7:30 am to photograph bodies in Slovo Park. He was forced to withdraw after being fired upon. Reverend Verryn arrived in the township at around 9 am and pleaded with police to leave. They refused to discuss their deployment with him, later claiming that they could not pull out of an area where riots were taking place.[19] Yet the police were themselves the objects of animosity. Had they taken a more accommodating approach toward Verryn, at least being open to discussing the situation with him, they might have been able to calm unruly tempers with his mediation. As it stood, the purpose of their presence was questionable. They were not protecting the crime scenes. Beyond guarding the detective, they were not advancing the investigation or associating themselves with it. As Waddington lamented, the ISU did not regard the investigation as its responsibility, and made no effort to interview witnesses about the horrors that had befallen their neighbourhood.[20] Waddington believed that a different approach, one that showed 'a conspicuously serious interest in the massacre', might have pre-empted the unrest that ensued. 'Instead the ISU perceived their task as one of containing the passions aroused by the massacre and did so by methods which inflamed the very emotions they sought to control.'[21] At 11:30 am, the local police station on the edge of Boipatong came under petrol bomb attack. Reinforcements continued to arrive in the afternoon. Patrols continued to come under attack. In the mid-afternoon, a local policeman's car and house were set alight.[22]

Recalling later police efforts to negotiate with KwaMadala, Waddington suggested that the SAP had taken 'a more accommodating approach' toward the Inkatha hostel residents,

> Boipatong residents might justifiably conclude that whereas their understandable anger and resentment was met with tear smoke, rubber bullets and birdshot, a similarly forceful attitude was not adopted towards the hostel-dwelling suspects.[23]

The day after the Boipatong massacre, KwaMadala was surrounded and declared an unrest area, allowing police to confine its occupants. After entering

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19 *Ibid*, p. 33.
20 *Ibid*, p. 31.
21 *Ibid*, p. 31.
22 *The Star*, 'Policeman puts his gun to his head', 19 June 1992.
23 *Ibid*, p. 35.

forcefully, police seized a number of weapons and were busy marking them when they were surrounded by a mob of residents wielding sticks and assegais. The detectives withdrew, before beginning negotiations with the residents over the handover of weapons. Agreement was reached that hostel residents would throw their weapons onto a pile for police collection. This arrangement obfuscated attempts to identify the owner of each weapon.

The erasure of tapes

An important window into SAP operations in Boipatong before, during and after the massacre was the log of police radio transmissions recorded at the ISU's Vereeniging control room. Major Christo Davidson, tasked with investigations into police complicity, dropped a bombshell at the Goldstone Commission in August when he admitted that the recordings had been taped over because of 'a technical problem I am unable to explain'.[24] Waddington had been informed of the tape erasures, but had not addressed the issue in his report.[25] Davidson explained to an exasperated Commission that 13 hours of telephone and radio conversations had been deleted. The conversations, from 2 pm on June 17 to 3 am the next day, included ISU communication with its patrols, other SAP units and the SADF.[26] The officer in charge of the control room, Sergeant Ilse O'Reilly, explained to the Commission that the taping equipment had been used incorrectly since its installation in March. The equipment used ordinary commercial tapes, but only one side could be used, otherwise recordings would be taped over. O'Reilly had herself turned the tapes over on June 18, a mistake allegedly repeated since 24 March. She said the ISU had not realised this oversight because only on one occasion did it have reason to play a tape back; in that particular instance, the required information had not yet been taped over.[27] Seven tapes recorded on and after 17 June were handed over to the Commission. O'Reilly said she could not produce affected tape recordings made before June 14, as these tapes had been sent to the Vereeniging Crime Intelligence Service (CIS) for 'cleaning'.[28]

After the seven tapes were subjected to a number of analyses by different experts, the Commission posited a likely sequence of events. Before the evening of June 17, two tapes were put into the machine, which was then left on automatic operation. The first tape recorded until it was filled at 3:09am on June 18, when the second tape came into operation. Both tapes were turned over shortly after midday on June 18. The first tape was recorded over first, wiping

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[24] Phillip Zoio and *SAPA*, 'Sounds of Silence', *The Star*, 12 August 1992.
[25] *The Citizen*, 'Why tapes were wiped clean', 13 August 1992.
[26] Phillip Zoio and *SAPA*, 'Sounds of Silence', *The Star*, 12 August 1992.
[27] *The Sowetan*, 'Experts to hear tapes', 13 August 1992.
[28] *The Citizen*, 'Why tapes were wiped clean', 13 August 1992.

out vital information from the previous evening up until 3:09 am. It was filled by about 7:10 pm on June 18, before the second tape came back into operation for approximately an hour, after which it was removed from the machine.[29] Because the second tape was removed after just an hour, conversations from 3:09 am were not recorded over, leaving the Commission with over 600 pages of transcribed communication. The Commission was unable to uncover any foul-play in the tape erasures, even if the ISU's mishap seemed too convenient to be accepted at face value. A finding by British experts that the tapes contained suspicious 'masking sound' led to embarrassment after it transpired that the British had played back the tapes at the wrong speed.[30] Regardless, the 600 pages that did survive added to Waddington's suggestion that uncompromising, reactionary police attitudes had helped foment the unrest that awoke in Boipatong on the 18th. As the Commission reported,

> It may be remarked in general that the conversations recorded in these transcripts reveal a good deal of indifference, sometimes callous, to the lot of the people of Boipatong and the extent of the massacre, with no great zeal in moving against the Inkatha members of the hostel. There appear to be no expressions of outrage at the events of the night. The only occasion during the night ... when any sense of urgency was apparent from the recorded exchanges arose in the context of apparent threats to the white people of Vanderbijlpark.[31]

Just before 6 am, it was reported that blacks were on Donges Street, Vanderbijlpark, throwing stones at passing cars. Sergeant Smith responded, 'Hoor hier, my ou maat, dit is nou blanke woongebied.'[32] The unrest had spread to white areas, and was now cause for grave concern. Just after 6am, a captain remarked portentously, 'laas nag was hier by Boipatong voorvalle gewees waar die nuwe Suid-Afrika mekaar uitgeroei het'.[33] The previous night in Boipatong had seen the new South Africa turn upon itself, as its most powerful forces rose up to destroy each other. The duty of the ISU was to stop the ensuing ruination from spilling over into white suburbia. At 7 am it was reported that Boipatong residents were accusing police of bringing the Inkatha attackers into the township. In response, the captain in charge ordered police to ignore residents' claims, but to monitor them and prevent them from going into white areas. The ISU's officers appeared impermeable to the existential catastrophe of the Boipatong massacre. Its survivors emerged from their homes, many of which were now murder scenes, struggling to gather their shattered thoughts. Reeling from shock and grief, they encountered police sent to contain them, with the use of force if

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29 The Goldstone Commission, 'Memorandum on the Boipatong Tapes', 30 December 1992.
30 Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.
31 The Goldstone Commission, 'Memorandum on the Boipatong Tapes', 30 December 1992.
32 Translated directly as 'Listen here, my old friend, this is now white neighbourhood.'
33 Translated directly as 'Last night there were incidents here in Boipatong where the new South Africa destroyed each other.'

necessary. Few policing gestures could have turned distress to anger more effectively. While Waddington was clear that 'no evidence had been found of direct police complicity in the massacre itself', the behaviour of policemen in the hours after the event greatly encouraged the popular belief that they *were* directly complicit. Their behaviour was deeply reminiscent of Apartheid policing, a far cry from any true promise of change.

The trial

With Dr. Waddington's help, Judge Goldstone investigated the Boipatong massacre until the end of 1992. Concurrent police investigations led to the trial of 47 KwaMadala residents in May 1993.[34] The role of police in the massacre became a crucial issue at the trial. In a twist of irony, IFP lawyers argued that it was not the accused who had attacked Boipatong, but members of the security forces. The IFP defence's strategy was in line with shifting political alignments. The signing of the Record of Understanding in September 1992 had seen a breakdown in government-IFP relations. The IFP gravitated increasingly rightward, as was evidenced in its co-convening of the Conference for Concerned South Africans.

Eyewitnesses

Much to ANC chagrin, the IFP defence cited earlier testimonies from Boipatong residents. State prosecutors began building their case on the testimonies of three men who took part in the massacre. These testimonies denied police complicity. Crucially, an additional 120 witnesses from Boipatong also denied police involvement.[35] These witnesses included 'someone from almost every house where death or serious injury was recorded'.[36] Principal witnesses testifying to police complicity, Joseph Sello and Abednego Mabuza were unable to explain several material inconsistencies and contradictions in their evidence.[37] Judge J M C Smit found Sello to be particularly 'dishonest and unreliable'.[38] Mabuza was less obviously a liar but, in similar vein to his testimony before Goldstone, proved less than credible. Rian Malan's 1999 article 'A question of spin' vividly recalled Mabuza's testimony.[39] Mabuza was walking a friend home after a drink at his house, when they encountered a young boy 'running from some unspeakable

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[34] *BBC Summary of World Broadcasts*, 'South Africa: charges against 27 suspects in Boipatong case withdrawn', 14 April 1993.
[35] Anthea Jeffery, *The Truth about the Truth Commission*, South African Institute of Race Relations (Johannesburg, 1999), p. 140.
[36] Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.
[37] Jeffery, *The Truth about the Truth Commission*, p. 140.
[38] *Ibid*.
[39] Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.

terror'. Mabuza led the boy to his grandmother's home on Hlubi Street. Glimpsing the attackers approaching in the distance, he slipped into the old woman's garden, and 'watched in disbelief as a Hippo glided by at walking pace, escorting a host of armed men who were attacking innocents as they passed down the street.' Yet, the boy's grandmother allegedly looked outside as her windows were shattered and saw only Zulus. Eight residents on Hlubi Street corroborated her testimony. One resident supported Mabuza's testimony, but was contradicted by his neighbour.

Mabuza was one of several ANC witnesses at the Goldstone Commission whom IFP Advocate Vic Botha later asked to testify at the trial. Having arrived at court, these witnesses resisted participation after realising that Botha was with the IFP. The shifting political landscape had gotten ahead of them. The politics of truth had changed since the period of early investigations into the Boipatong massacre, such that implicating security forces might benefit Inkatha. Mabuza told the court that after the massacre ANC lawyers had ordered them to talk only to the ANC. Further evidence of ANC efforts to stifle eyewitness transparency emerged when prosecutors caught wind of a key witness under ANC care. Eugenius N Mnqithi, a teenager from Small Farm, had fled to KwaMadala several days before the Boipatong massacre. A young woman had been murdered on her way home from a drinking party at his parents' house.[40] The local 'people's court' had necklaced a suspect, and set fire to the house. Having taken refuge at KwaMadala, Mnqithi was forced to participate in the Boipatong attacks. When police surrounded KwaMadala the following day, he escaped and fled to Evaton where he was taken into ANC custody. After prosecutors threatened to issue a subpoena, the ANC brought Mnqithi forward. Mnqithi swore he had provided ANC lawyers with a signed statement, identical to what he placed before the prosecutors. While ANC lawyer Caroline Heaton-Nicholls denied that such a statement existed, Judge Smit found it 'highly unlikely that attorneys would not have taken a statement'.[41] Mnqithi took the stand in September 1993, with devastating effect,

> That is the induna whose 'Zulu recitations' whipped the impi into a fighting mood, Mnqithi declared, pointing to the guilty party. That is the man who administered the battle medicine. That is the man who brandished an AK-47, and so on. Mnqithi insisted that no whites were involved, and that no police were present. The only armoured vehicle he saw was an SADF Buffel that showed up as the impi was withdrawing toward the hostel, blood-spattered and laden with loot – a beer crate of longplaying records, in Mnqithi's case.[42]

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40 *Ibid*.

41 *State v Zulu and others*, transcript of judgement delivered by Mr Justice J M C Smit, Transvaal Provincial Division of the Supreme Court, 30 March 1994 in Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.

42 Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.

In his March 1994 judgement, Smit bemoaned that 'certain people and organisations' with 'a direct political interest in the outcome' had interfered with investigations. He was particularly scathing of the ANC, which appeared to withhold Mnqithi 'from the Goldstone Commission because he failed to support their case.'[43] The ANC offered no rebuttal to this statement. Smit concluded that security forces had not in any way participated in the killings. He attributed the ISU's erasure of tapes to 'incompetence rather than a deliberate attempt to hide evidence of police complicity'.[44] He came to similar conclusions regarding eight bullet shells, evidence that the SAP alleged it had inadvertently destroyed. In his view, culpability lay entirely with 18 of the accused, whom he convicted on 45 counts of murder, count of public violence, and 14 counts of attempted murder.[45] Sentences ranged from 10 to 18 years. The convicted applied successfully for leave to appeal, and were granted bail pending their appeals. In October 1994, the Goldstone Commission released its Final Report, but continued to postpone its findings on the Boipatong massacre. The Commission regarded it inappropriate to submit a report on its Boipatong massacre Inquiry while the matter was still *sub judice*.[46] Goldstone's findings on the massacre would never surface.

The life and death of Victor 'Khetisi' Kheswa

While Judge Smit's findings dealt the ANC a heavy blow, the death in police custody of an important witness in July 1993 had cast further doubt upon police innocence. The death of Victor 'Khetisi' Kheswa prompted street parties in Sharpeville, Sebokeng and Boipatong. Reviled as the 'Vaal Monster', the 28-year old had been at the centre of spiralling violence in the region. Responding to news of Kheswa's death, an ANC spokesman in Sebokeng exclaimed, 'We hope that the trail of blood left by faceless gunmen working for Kheswa will now stop flowing.'[47] Violence in the Vaal diminished markedly after Kheswa's death.[48] By the time of his demise, Kheswa's notorious Khetisi Gang was based at Kwa-Madala, a refuge from which it struck at surrounding Vaal communities. His allegiance to the IFP was common knowledge. Yet it was not always thus.

Kheswa's rise to infamy in the Vaal began as a turf war between rival gangs in Sebokeng. In December 1990, the Khetisi Gang were called before a local ANC 'people's court' and accused of fighting with another local gang, the Cameroon

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43 *State v Zulu and others* in Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.

44 *State v Zulu and others*, p. 3740 in Jeffery, *The Truth about the Truth Commission*, p. 140.

45 *Buthelezi en andere v S* [1999] JOL 5366 (A).

46 The Goldstone Commission, 'Final Report', 27 October 1994.

47 Fred Bridgland, 'South African Nazis adopt black "martyr"', *The Sunday Telegraph*, 18 July 1993.

48 Johannes Mutshutshu Rantete, *The African National Congress and the Negotiated Settlement in South Africa*, van Schaik (Pretoria, 1998), p. 107 in Padraig O'Malley, 'Boipatong', unpublished manuscript, April 2000, Witwatersrand University Historical Papers Archive, p. 36.

Squad, which included ANC activists. A ruckus broke out after Kheswa was found to be armed. The gang managed to escape, but not without Kheswa sustaining a bullet wound.[49] At the time, Kheswa was known to be in a feud with a member of the people's court, Christoper Nangalembe. The two had allegedly fought over a woman, whom Kheswa later poisoned to death with acid. Nangalembe was rumoured to have called for the Khetisi Gang to be put to death.[50] According to the *TRC Report*, the two grew up together. However, Kheswa 'had a long history of criminal involvement' and eventually came into conflict with a local ANC 'anti-crime campaign'.[51] Yet, in an anonymous interview with an executive member of the Khulumani Support Group[52] in Sebokeng, I was told that both men 'were hijacking cars, stripping the cars.'[53] The interviewee was not sure why they had started fighting, but suggested it had been a squabble over 'shares'.

Days after the Khetisi Gang's escape, gang-member Daniel Mabote's cousin suggested the gang seek help from Inkatha. Mabote's cousin was the son of IFP official Bhula Khubeka, whose home had been burnt as she hosted the ill-fated IFP rally in Sebokeng on 22 July 1990. Soon thereafter, Kheswa's neighbour noticed that eight men in grey overcoats had moved into the Kheswa household. When the neighbours turned their lights on at night, the men in overcoats came out and ordered them to turn the lights off.[54] Kheswa's younger brother told the neighbours the men were IFP members, guarding the house from ANC attack. They had a stash of AK-47s under a blanket in one of the bedrooms. In early January 1991, comrades came under AK-47 fire in a drive-by shooting. One of the cars belonged to Kheswa, recently discharged from hospital. Comrades went immediately to Kheswa's house, where they again came under fire from the convoy, allegedly accompanied by a police vehicle. One of the comrades alleged he was abducted that night by policemen accompanied by the Khetisi gang, and taken back to the police station where gang members beat him up in front of police. The following day, Kheswa and his mother were arrested after police found AK-47s and ammunition in his car. They were released four days later. The next day, Christopher Nangalembe was found strangled to death on a rubbish dump outside Boipatong.

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49 Daniel Reed, *Beloved Country: South Africa's Silent Wars*, Jonathan Ball (Johannesburg, 1994), p. 60.

50 Gary Kynoch, 'Crime, Conflict and Politics: An Historical Account of Township Violence in Transition Era South Africa', *wiserweb.wits.ac.za/PDF%20Files/wirs%20-%20kynoch.pdf* (last accessed: 25 July 2009), p. 13.

51 *TRC Report*, Vol. 3, Ch. 6: 'Regional Profile Transvaal, 1990-1994', para. 564.

52 The Khulumani Support Group was formed in 1995 by survivors and families of victims of political conflict during the Apartheid era. While the group's founding premise has been to speak out about violations of the past so as to ensure they don't happen again, it has also focussed on the uplifting of its members, many of whom continue to languish in indigent communities.

53 Anonymous interview, Braamfontein, 17 April 2008.

54 Reed, *Beloved Country: South Africa's Silent Wars*, p. 61.

A night vigil was held for Nangalembe on 12 January. Despite police promises to send a unit to the vigil, a large group of men were able to approach the gathering, open fire upon the marquee and lob three grenades into it, killing 39 mourners and injuring 26.[55] Men in overcoats were seen among the attackers. Comrades burnt down Kheswa's house the following afternoon. Kheswa and ten others were arrested and charged with involvement in the massacre. There were allegations of torture. They were later acquitted due to lack of evidence. Most of the gang fled to KwaMadala. In the wake of the night vigil massacre, Kwa-Madala turned increasingly into a militant IFP stronghold, while Vaal townships saw the rise of heavily-armed SDUs. From this point on till April 1992, Kheswa was linked to shootings at the Sebokeng beer-hall and the Erika Tavern in Sebokeng, the murder of six members of the ANC-aligned Lefheidi family in Sharpeville, and the murder of ANC official Ernest Sotsu's wife, daughter and grandson in Boipatong.[56] Remarking on the period, Sotsu told BBC journalist Daniel Reed, 'Anyone associated with Inkatha became an enemy. There was a cycle of revenge of killings.'[57] Sotsu was also adamant that police were involved in the murder of his family, together with Kheswa. According to the *TRC Report*, Kheswa was 'known to have watched the proceedings of the funeral of ANC leader Ernest Sotsu's family from a police Casspir, despite the fact that he was widely believed to be the perpetrator of their killing.'[58] The circumstances of Kheswa's death would fuel speculation about his alleged links with police.

Kheswa died a day after being arrested near Boipatong. His death gave rise to a curious flurry of allegations, as different political groupings continued to vie for ground. Leader of the right-wing World Preservatist Movement (WPM)[59] Koos Vermeulen claimed publicly that Kheswa had been a member.[60] Vermeulen also claimed to have links with the IFP, which he said had summoned him to check Kheswa's body. The WPM distanced itself from government, with Vermeulen citing the death of another member in police custody two years before. Vermeulen was not happy with the state of Kheswa's body. According to sources allegedly close to him, 'two streams of mucus ran from the dead man's nostrils to

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55 *Ibid*, p. 62.

56 *Vaal Weekblad*, 'Khetisi: Feared "Vaal Monster" says he is innocent', 26 July 1991.

57 Reed, *Beloved Country: South Africa's Silent Wars*, p. 64.

58 *TRC Report*, Vol. 2, Ch. 7: 'Political Violence in the Era of Negotiated Transition, 1990-1994', para. 91.

59 Previously known as the World Apartheid Movement (WAM), the WPM was associated with the Klu Klux Klan, the far-right National Front in Britain, and neo-Nazi groups in Eastern Europe. John Battersby, 'Evidence may provide key to third force in South Africa', *The Christian Science Monitor*, 19 July 1993. Polish immigrant Janus Walusz, who had assassinated Chris Hani three months earlier, was a known supporter. According to Vermeulen, WPM membership had been opened to blacks, as '10 million blacks are concerned about the attempted ANC and Communist takeover of our country'. Fred Bridgland, 'South African Nazi's adopt a black martyr', *The Sunday Telegraph*, 18 July 1993.

60 Fred Bridgland, 'South African Nazi's adopt a black martyr', *The Sunday Telegraph*, 18 July 1993.

his eyes, consistent with his being hung upside down.[61] Vermeulen's claims suggested a desire on the part of the far-right to elevate its status in South African politics. 'You must remember,' he warned, 'that in this struggle, people like me are just cannon fodder. But there are many big land mines who lie hidden and who will control what happens.'[62] While the IFP opposed the ANCs growing ascendancy in negotiations, it nevertheless sought to ensure the viability of a future IFP-ANC settlement. It denied any relationship with the WPM, accusing state intelligence agents of attempting to implicate it in the violence. Along with the ANC, it alleged that the WPM had links with the South African intelligence community.[63] After hours of police questioning, Vermeulen retracted his claim that Kheswa was a WPM member. ANC spokesman Carl Niehaus rejected this retraction, arguing that 'The Kheswa saga points to one of the clearest examples of so-called "third force" complicity in township slayings.'[64] The ANC hinted that police may have killed Kheswa to prevent him from disclosing links between security forces and township violence.[65] It hoped to encircle all of its opponents, ensnaring the IFP, the state and the right wing in the same web of culpability.

According to a state pathologist's post mortem, Kheswa had died of virally-induced heart failure. Yet, a later private post mortem commissioned by the IFP and Kheswa's family found that he had died of 'conditions including acute suffocation, electrocution, hypothermia and occult toxic substances'.[66] The Attorney-General declined to hold an inquest, on the grounds of the first post mortem. At the time of his death, Kheswa was in the custody of Sergeant Gerhardus 'Pedro' Peens. Peens was one of three policemen suspended after Kheswa's death, pending results of an investigation that never transpired. The following month, Daniel Mabote died while allegedly trying to escape from a moving police vehicle. According to police reports, he jumped from the window of a police van, only to be run over by a second van. Sergeant Peens had been in the second vehicle.[67] In the early 1990s, Peens was implicated in several cases of torture and death in police custody, including the death of MK member Tsepo Lengwati.[68] Despite informing his attorney of his fear that Peens planned to kill him, Lengwati was removed from Leeuhof Prison by Peens for purposes of 'investigation', and later gunned down in an alleged escape attempt. Peens left

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61 *Ibid*.
62 *Ibid*.
63 John Battersby, 'Evidence may provide key to third force in South Africa', *The Christian Science Monitor*, 19 July 1993.
64 Fred Bridgland, 'South African Nazi's adopt a black martyr', *The Sunday Telegraph*, 18 July 1993.
65 Tom Cohen, 'Suspected mass killer had links to right-wing group', *The Associated Press*, 15 July 1993.
66 *TRC Report*, Vol. 3, Ch. 6: 'Regional Profile Transvaal, 1990-1994', para. 596.
67 *Ibid*, para. 597.
68 *Ibid*.

the police force in 1994 to work as a private investigator. Over more than 20 years of service, he was investigated on no fewer than 60 charges of illegal conduct, without ever being convicted.[69] His name would come up again in 1999 at the TRC's hearings into the Boipatong massacre.

The Truth and Reconciliation Commission

Premature findings

While the 18 KwaMadala convicted waited for their appeals to be heard,[70] promulgation of the 1995 Promotion of National Unity and Reconciliation Act allowed them to apply for amnesty. All 18 did so, and were granted further bail pending the outcome of their applications.[71] The Promotion of National Unity and Reconciliation Bill had been tabled before South Africa's first democratically-elected parliament in December 1994. Justice Minister Dullah Omar explained that the purpose of a truth and reconciliation commission, which would be established under the bill, was not to conduct a witch hunt or charge violators, but to 'enable South Africans to come to terms with their past on a morally acceptable basis and advance the cause of reconciliation'.[72] According to the Bill, the commission would comprise South Africans who were 'impartial and respected', and would 'function without political or other bias or interference'.[73] The Boipatong massacre would prove the sore point of such laudable aspirations. TRC hearings into the massacre began in July 1998, with two applicants withdrawing from the process at the outset. October 1998 saw publication of the first five volumes of the *Truth and Reconciliation Commission of South Africa Report*.[74] Volume 3 made findings on the Boipatong massacre, even though amnesty applications were still pending. As a TRC researcher associated with the TRC's report on the massacre later confided to Padraig O'Malley, 'I would never have supported the findings on Boipatong. They are far too categorical and reflect the bias of a particular commissioner.'[75]

As early TRC hearings into the Boipatong massacre continued through late 1998, with Judge Sandile Ngcobo's November 2000 final decision nowhere in sight, the TRC determined to make conclusive findings in its Report,

> The Commission finds that forty-five people were killed and twenty-two severely injured in Boipatong on 17 June 1992 in an attack perpetrated by residents of the KwaMadala Hostel,

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69 *Africa News*, 'Cracks in Boipatong story', 22 January 1999.

70 The Supreme Court of Appeal dismissed their appeals in September 1999 (*Buthelezi en andere v S* [1999] JOL 5366 (A)).

71 Interview with Kobus van der Merwe (IFP Chief Whip), Cape Town, 19 May 2008.

72 Institute of Race Relations, *Survey of Race Relations 1992/93*, (Johannesburg, 1994), p. 345.

73 *Ibid*.

74 Two further volumes were published in August 2002 and March 2003.

75 Padraig O'Malley, 'Boipatong Part II', second unpublished manuscript, Witwatersrand University Historical Papers Archive, August 2001, p. 66.

> who were primarily supporters of the IFP. The Commission finds that KwaMadala residents, together with the police, planned and carried out an attack on the community of Boipatong. ... The Commission finds that the police colluded with the attackers and dropped them off at Slovo Park. ... The Commission finds that white men with blackened faces participated in the attack. ... The Commission finds that the police were responsible for destroying crucial evidence in that they erased the tapes of transactions in the control room of the ISU.
>
> The Commission finds the KwaMadala residents together with the SAP responsible for the massacre. ... The Commission finds the Commissioner of Police, the Minister of Law and Order and the IFP responsible for the commission of gross human rights violations.[76]

In her book *The Truth about the Truth Commission*, Jeffery delivers a pertinent critique of the *TRC Report*'s findings on the Boipatong massacre.[77] The Report did not explain why it rejected Waddington and Smit's conclusions that police had not been involved in the killings. Nor did it explain why it rejected Smit's finding that police elimination of evidence was due to incompetence rather than complicity. It cited allegations of police involvement taken from the testimonies of witnesses, most of whom were unnamed. It posited these allegations as evidence, without explaining if and how they had been tested or substantiated.[78] It made no reference to the lengthy list of witnesses who had testified against police complicity at the trial, nor to the fallibility of testimonies that had asserted otherwise. The Report failed to produce any substantial new evidence. Jan-Ake Kjellberg, a Swedish policeman working with the TRC, told Rian Malan that the Commission had conducted no investigation into the Boipatong massacre.[79] As Malan discovered, the TRC Report had taken much of its evidence from a June 1992 'Area Repression Report', compiled by the HRC. Some of the evidence was copied verbatim.[80]

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[76] *TRC Report*, Vol. 3, Ch. 6: 'Regional Profile Transvaal, 1990-1994'.

[77] Jeffery, *The Truth about the Truth Commission*, p. 142.

[78] *Ibid*.

[79] Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.

[80] *TRC Report*, Vol. 3, Ch. 6: 'Regional Profile Transvaal, 1990-1994', para. 588 (italicised writing is identical to HRC report):

Numerous allegations were made about the attackers and alleged security force collusion in the attack. Residents reported the following:

a) *The attackers were Inkatha-supporting hostel-dwellers from the KwaMadala Hostel which was owned by Iscor.*
b) *Some of the attackers were wearing white headbands, white gloves and white takkies.*
c) *The attackers asked for comrades or ANC members.*
d) *White men were allegedly involved in the attack. One resident alleged the attack was led by white people with blackened faces; two residents reported that they heard a white man saying "Moenie praat nie, skiet net ..." (Don't talk, just shoot); and white uniformed men in armoured vehicles were seen assisting the attackers.*
e) *Attackers were seen getting out of police armoured vehicles on the outskirts of the township.*
f) *A resident from one of the first homes attacked reported that a police Hippo backed into the fence surrounding the house moments before they were attacked.*
g) *One resident reported that he saw a green police casspir parked next to Slovo camp as he fled his home.*
h) *A police Casspir followed the attackers as they left the township in the direction of the KwaMadala Hostel.*

Quoting Volume 1 of the TRC Report, Jeffery points out that the Commission's obligation, when confronted with different versions of events, was to decide which version of the disputed facts was 'the more probable, reasonable, or likely, after taking all the available evidence into account'.[81] Instead, the Commission uncritically accepted the version of a violence monitoring organisation with ANC supporters among its ranks. This version had been compiled within weeks of the massacre, before such allegations had been put to any thorough test. 'The Commission was specifically enjoined,' Jeffery continues, 'to probe the motives and perspectives of all perpetrators of gross violations.'[82] The TRC Report ignored the ongoing cycle of violence in which both KwaMadala and Boipatong were caught. Indeed, Judge Smit had declined to give the accused a death penalty on the mitigating grounds that they had been provoked. The homes of IFP members and their families had been burnt down; they themselves had been 'murdered and mutilated and driven from their communities'.[83]

Cycles of violence

Victor Mthandeni Mthembu, Vice-Chairperson of the IFP Youth League in KwaMadala at the time of the Boipatong massacre, was the first of the 18 convicted at the trial to apply for amnesty. He was also the first to take the podium at the subsequent TRC hearings. Mthembu denied police involvement outright. Several of his disclosures seemed to water down the likelihood that the veracity of his testimony was tainted by political allegiance. He implicated Sipho Lukhozi, one of the two fellow applicants who had withdrawn from the amnesty process. Lukhozi withdrew on the grounds that he had not been present in Boipatong during the attack. Mthembu testified to seeing him armed and amongst the crowd of attackers that left KwaMadala for Boipatong.[84] Rian Malan pointed out further disclosures,

> Perhaps the strongest indicator of Mthembu's credibility was the reaction of his co-conspirators, who initially accused him of disloyalty. He had implicated Prince B V Zulu, a minor Zulu royal who lived in KwaMadala. He had named IFP leader Themba Khoza as an accessory. He had even disclosed the presence inside the hostel of a 50-strong 'Msinga contingent' – clan brothers of an induna from Abatenjeni, sent to strengthen the hostel's defences.[85]

These disclosures were not so straightforward. According to Mthembu, Vanana Zulu had been the hostel's most senior leader. He was in charge of weapons at

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i) Police failed to respond to calls of help from residents.

81 *TRC Report*, Vol. 1, p. 91 in Anthea Jeffery, *The Truth about the Truth Commission*, p. 143.

82 Jeffery, *The Truth about the Truth Commission*, p. 143.

83 *State v Zulu and others*, p. 3702 in Anthea Jeffery, *The Truth about the Truth Commission*, p. 144.

84 *Ibid*.

85 Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.

KwaMadala, and once instructed all working residents to contribute R800, after police confiscated firearms from the hostel. Yet, Zulu did not take part in the decision to attack Boipatong. Mthembu maintained that a statement in his affidavit, signed two years prior, that Zulu had decided to attack 'the Vaal community' referred to the Vaal region in general.[86] The two who took the decision were Mkhize, a fellow applicant, and Chonco, the Msinga contingent's deceased leader. An Iscor co-worker of Zulu's, who lived in Boipatong, allegedly saw the prince on the night of the massacre. Mthembu claimed Zulu had taken a taxi to Nongoma the preceding afternoon. Mthembu held that the Msinga contingent was a 'self-protection unit', not a 'hit squad'. That the affidavit called it the latter was due to a 'typing error'. He kept mum over the affidavit's statement that the 'hit squad of Umsinga also went out several times on their own initiative to shoot members of the ANC', as the matter had 'nothing to do with the reason why we are here.'[87] Themba Khoza had come to KwaMadala after the massacre and told residents to burn stolen goods and hide blood-stained weapons and clothing. But Mthembu could not remember whether Khoza had been at a KwaMadala meeting the Sunday before the massacre. The affidavit stated that Khoza *had*. Moreover, it held that Khoza was 'angry at the killing of his people and said if the people came and attack you, you are supposed to fight back and kill them.'[88] Confronted with the contents of his affidavit, Mthembu admitted to remembering that Khoza was present, but still could not remember what was discussed at the meeting. Indeed, Mthembu's penchant for appealing to his own forgetfulness brought his testimony to the brink of untenability on more than one occasion. Not least of all, he claimed to have no idea that Khoza had been head of the IFP Youth League in Transvaal, even though he had been Vice-Chair of the IFP Youth League in KwaMadala during the same period.

Mthembu's evasive testimony suggested that political pressure had come to bear, perhaps with mounting intensity after he had made his applicatory statement to the TRC. In the face of a three-day grilling at the hands of Advocate Danny Berger, representing the residents of Boipatong, Mthembu appeared to shield IFP leaders. Neither Zulu nor Khoza were implicated in the decision to attack Boipatong. Indeed, both Khoza and IFP leader Mangosuthu Buthelezi had condemned the Boipatong massacre, Buthelezi claiming that 10 of the Boipatong residents killed were IFP members.[89] But while there were inconsistencies between Mthembu's affidavit and his cross-examination, some convictions were constant. The Boipatong massacre had been an act of embittered vengeance, and the police had nothing to do with it. Mthembu invoked the vengeful spirit of the

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86 Amnesty Hearing, Victor Mthandeni Mthembu (Application # AM 1707/96), 13 July 1998.
87 *Ibid*.
88 *Ibid*.
89 Kaiser Nyatsumba, '10 IFP members died in massacre, says chief', *The Star*, 3 July 1992.

massacre whilst under cross-examination. He did so with just one sinister adage, perhaps the most infamous remark in the history of the Truth Commission. Asked to justify the murder of children in Boipatong, when the attackers were allegedly targeting the ANC, Mthembu responded, 'What you should understand, Mr Berger, is that a snake gives birth to another snake.'[90] Popular reaction to such vitriol has been one of disgust and condemnation. However, there is need to place Mthembu's sentiments in context. As Bonner and Nieftagodien argue, the TRC's mandate to make clear findings on victims and perpetrators precluded adequate social explanation.[91] Isolating victim and perpetrator at the point of violence obscured underlying patterns of causation and motivation that often blurred the victim-perpetrator binary.

After fighting broke out on the Vaal in July 1990, Mthembu fled KwaMazisa, along with every other Zulu resident. As he told his cross-examiner, IFP members in the Vaal continued to be victimised, long after the Zulu exodus from KwaMazisa and Sebokeng Hostels. KwaMadala residents entering Boipatong to shop or catch taxis were regularly attacked. Sometimes they were necklaced. Mthembu could remember two necklace victims, Bongani Mbatha and one Gazu. Fellow applicant Mkhize had been sole proprietor of beer in the hostel, when comrades cut off his supply by threatening to kill his supplier in Boipatong.[92] Mplupeki Tshabangu, another applicant, whose father survived being attacked and burnt by comrades, told the Commission of a woman named Masabata from neighbouring Sharpeville, who was 'raped, her muscles cut, a bottle inserted in her vagina – only because she was an IFP member'.[93] Both the anonymous Khulumani interviewee and Abraham Mzizi, an IFP leader on the East Rand, told me the story of a pregnant woman who was slit open, the foetus removed from her womb. Mzizi told me she was a township woman who fell in love with a man from KwaMadala, before becoming pregnant with his child. '[S]he was actually slit open. And then [they] took the foetus out in the street and said that this is the offspring of *umdlwembe*.'[94] The anonymous Khulumani interviewee translated *umdlwembe*, an insulting expression reserved for Zulus, as 'sell-out', while Mzizi told me it meant 'a stray wild dog'.[95] 'But what is still stick on my mind,' recalled Moses Mthembu, Victor's uncle and fellow applicant who together with

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90 Amnesty Hearing, Victor Mthandeni Mthembu (Application # AM 1707/96), 13 July 1998.

91 Philip Bonner and Noor Nieftagodien, 'The Truth and Reconciliation Commission and the Pursuit of "Social Truth": The Case of Kathorus', in Deborah Posel and Graeme Simpson (eds) *Commissioning the Past: Understanding South Africa's Truth and Reconciliation Commission*, Witwatersrand University Press (Johannesburg, 2002), p. 176.

92 Amnesty Hearing, Victor Mthandeni Mthembu (Application # AM 1707/96), 13 July 1998.

93 Amnesty Hearing, Mplupeki Tshabangu (Application # AM 7391/97), 13 August 1998.

94 Interview with Abraham Mzizi, Alberton, 18 April 2008.

95 *Ibid.*

Mkhize was an *induna*[96] at KwaMadala, '"*umdlwembe*", that is something that any person is allowed to kill it as an ant, not as a human being.'[97] Moses had particular reason to be afraid. He and Vanana Zulu were marked men, 'Even in taxis, there were two photos of me and Vanana Zulu, that these are the main targets.'[98] Vanana Zulu had lived on Majola Street in Boipatong, the same street as Ernest Sotsu. His house was burnt down in 1990. Sotsu's family was massacred in their home the following year, though Victor told Berger he had no recollection of the event.

During his hearing, Mthembu's legal representative, Advocate Cynthia Pretorius, drew upon a small body of journalism from late June 1992, which put it to the public that KwaMadala residents had been victims of provocation. Three people linked to KwaMadala or Inkatha had been killed in Boipatong the weekend before the massacre. [99] Police had confirmed the death of a woman known as Nomvula, necklaced for consorting with an IFP man. David Mbele, a Zulu Boipatong resident and schoolmaster, was shot in the back whilst trying to flee after his house was set on fire. Police discovered the charred body of Inkatha member Mr. B.L. Khumalo in his burnt out car. Two other Inkatha homes were set alight that weekend, one in Boipatong and another in nearby Bophelong. KwaMadala residents told journalist Patrick Laurence that over the past two months numerous Inkatha families had fled to the hostel after their homes were burnt down. In the last week of April, the houses of 18 presumed Inkatha supporters were reportedly set alight.[100] Injured Inkatha members had allegedly been turned away from hospitals. Moses Mthembu told Laurence, 'Our children can no longer go to school in the townships. We cannot shop there. The houses of Inkatha supporters are burnt down. Our girlfriends are necklaced. What are we to do?'[101] Laurence, Malan and Denis Beckett also pointed out that two April 1992 massacres in IFP townships near Alberton had not been met with the same public outcry as the Boipatong massacre. Crossroads was attacked on 3 April, and nearby Zonkisizwe 3 days later. The combined death toll exceeded 30 and included women and children.[102] The attackers were allegedly Xhosa-speaking ANC members. Residents complained that police were slow to react. No arrests had been made in connection with Crossroads. Furthermore, police had allegedly 'searched and disarmed' Crossroads residents the day before the massacre.[103]

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96 The term *induna* refers to an official functionary of a king or chief in Zulu society. In this case of IFP hostels, it referred to a senior leader in residence.
97 Interview with Moses Mandla Mthembu, Sharpeville, 16 May 2008.
98 *Ibid*.
99 Patrick Laurence, 'Doubts deepen over Boipatong killers' motives', *Irish Times*, 29 June 1992.
100 Rian Malan and Denis Beckett, 'On the inside looking out', *Saturday Star*, 28 June 1992.
101 Patrick Laurence, 'Doubts deepen over Boipatong killers' motives', *Irish Times*, 29 June 1992.
102 Rian Malan and Denis Beckett, 'On the inside looking out', *Saturday Star*, 28 June 1992.
103 Patrick Laurence, 'Public outrage at township killings has been selective', *Irish Times*, 27 June 1992.

It became very evident during Mthembu's hearing that the Boipatong massacre was part of a manifold cycle of violence, which flared up at Inkatha's inaugural Vaal rally in July 1990. The massacre's perpetrators were also victims, even if their retaliation seemed out of proportion to the attacks inflicted upon their own. Tensions contributing to the cycle of violence were primarily local in nature. Competition over employment, housing, business opportunities and women, gang rivalries and ethnic tensions were all phenomena able to exist independently of outside politics. That the ANC was itself suffering from internal conflict on the Vaal over the control of SDUs was further evidence that national politics was subsidiary. Kynoch's study of violence in the East Rand townships of Thokoza and Katlehong during the transition presents similar findings,

> [D]ecades of social and economic deprivation, combined with punitive policing, criminal predation and a corresponding reliance on vigilantism, had produced environments in which violence frequently became a normative means of pursuing material interests, resolving conflicts and seeking 'justice.' In other words, politicised rivalries found fertile ground for escalation partly because a culture of violence was already ingrained ... Different conflicts were often sparked by parochial concerns that only acquired an overtly political dimension when state forces, the ANC or the IFP became involved, sometimes at the behest of combatants who recognized the advantages of such an association.[104]

Closer observation of violence and its myriad interactions suggests that too much emphasis is placed upon the agency of political parties and the state. Jeffery's recent work likely exaggerates the centrality of ANC initiatives taken toward conducting a so-called 'People's War'.[105] Though, the most common excess has been fixation upon 'the ubiquitous third force, particularly its ability to control the incidence of township violence'.[106] At the TRC hearings into the Boipatong massacre, the likely role of a third force diminished steadily with each applicant's testimony, until the surprise appearance of Andries Matanzima Nosenga.

In January 1999, Nosenga stood before the amnesty committee and claimed to have played a leading role in the Boipatong massacre, killing 'eight or nine people'.[107] He had allegedly filed an amnesty application in 1997, which the TRC had lost and then found again. A three-page affidavit, faxed, unsworn and unsigned was presented to the committee. Similar to Mnqithi's, his story was one of shifting political allegiances. Having started out as a comrade, he fell out with ANC members and defected to KwaMadala. He participated in a number of attacks alongside the Khetisi Gang. After falling out with Inkatha, he walked into

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[104] Gary Kynoch, 'Killing and Dying in Thokoza/Katlehong: Narratives of Conflict, 1990-1994', paper presented to the North Eastern Workshop on Southern Africa, Burlington, Vermont, 2008, p. 4.
[105] Anthea Jeffery, *People's War*, Jonathan Ball, (Johannesburg, 2010),
[106] Kynoch, 'Killing and Dying in Thokoza/Katlehong', p. 5.
[107] Rian Malan, 'A question of spin', *Frontiers of Freedom*, second quarter 1999.

Vereeniging police station and admitted to murder. He was subsequently jailed for participating in drive-by shootings.[108] He had two amnesty applications pending for these offences when it was revealed that he had also applied for participating in the attack on Boipatong. While his co-applicants denied that he had been present during the massacre, claiming that he had only come to live in KwaMadala after the event, Nosenga provided a firsthand account of the massacre which implicated Sergeant Pedro Peens as its mastermind. Peens had allegedly supplied arms, arranged for the presence of casspirs, and brought white colleagues along to participate. That Peens had admitted to running errands in and around Boipatong on the night gave substance to these claims.[109] Yet, Nosenga's testimony proved so unreliable that his application was refused. Judge Ngcobo wrote in his final decision that given 'the numerous contradictions and the inherent improbabilities in the evidence of Mr. Nosenga and the unsatisfactory nature of his evidence, we have no hesitation in rejecting his evidence as untruthful.'[110] Ngcobo held that while it could not be proven that police did not participate, evidence that they did was 'fraught with difficulties'. He accepted the testimonies of the other applicants, who denied police complicity outright. He granted amnesty to all but two of them, who denied participating and thus could not be given amnesty for offences not committed.

Laying the bones to rest

Matters pertaining to security force complicity in the Boipatong massacre, particularly the dubious erasure of tapes, the death of Khetisi Kheswa, and the activities of Sergeant Peens, begged for further investigation. Furthermore, as TRC investigator Piers Pigou noted in 1999, only three Vaal policemen applied for amnesty.[111] Officers Conradie, van der Gryp and Jacobs were forced to apply because Eugene de Kock had implicated them for falsifying evidence in 1990 to secure Themba Khoza's acquittal. Each of these officers came from a different police section,[112] yet they worked in unison to support the IFP, thus suggesting that Vaal police loyalties to Inkatha were far-reaching.

Yet, the ANC's position on the Boipatong massacre had also become more suspect. Its 1992 allegations of Koevoet involvement based upon the purported disclosures of one allegedly repentant ex-member were quickly brought into doubt. That the ANC had mistakenly accused Judge Goldstone of failing to

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[108] Amnesty Hearing, Andries Matanzima Nosenga, (Application # AM 2778/96), 5 May 1999.
[109] Piers Pigou, 'Boipatong: Uncovering the real conspiracy', *Weekly Mail and Guardian*, 21 May 1999.
[110] Truth and Reconciliation Commission Amnesty Committee, Amnesty Decision (AC/2000/209), 24 November 2000.
[111] Piers Pigou, 'Boipatong: Uncovering the real conspiracy', *Weekly Mail and Guardian*, 21 May 1999.
[112] One officer came from the Security Branch, one from the Unrest and Violent Crime Unit, and another from the Murder and Robbery Unit.

consider complicity through acts of omission suggested uncertainty over the convictions that it had previously aired with such assurance and political success. The course of the Boipatong massacre trial had revealed on more than one occasion, most plainly in the case of Mnqithi, that the ANC had defeated the ends of justice by stifling witness testimonies. Furthermore, a host of witness testimonies went against it. The *TRC Report* betrayed a clear ANC bias in making findings on the Boipatong massacre that were premature and distinctly unbalanced. The testimonies of applicants at the TRC hearing painted the picture of a localised cycle of violence, whereas the ANC had made capital out of the massacre by placing massive emphasis on the role of national politics. This emphasis seemed overstated. Events in Boipatong suggested that the most likely forms of state complicity in the violence were acts of omission, as evidenced by the lax attitudes of ISU officers tasked with policing the township. Judge Ngcobo's acceptance of the testimonies of all the applicants except that of Nosenga, whom the IFP accused the ANC of deploying, was a crucial blow to the credibility of the ANC's dominant narrative. Yet, the only newspaper which covered Ngcobo's decision in November 2000 was *Die Burger*, an Afrikaans paper published not in Gauteng but the Cape.[113] The ANC had steered a widely-celebrated democracy toward an extensive period of economic recovery. While Boipatong had provided a key narrative upon which ANC powers were constructed, its bones of contention would be left to smoulder beneath the strata of a new landscape. Boipatong would be kept dormant, so that overlying structures could remain in place.

[113] Email interview with Rian Malan, 29 December 2008.

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Conclusion

> I know it is the fashion to say that most of recorded history is lies anyway. I am willing to believe that history is for the most part inaccurate and biased, but what is peculiar to our own age is the abandonment of the idea that history *could* be truthfully written.
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> George Orwell, 1938.[1]

On 24 July 2009, the *Mail & Guardian* reported that Constitutional Court 'dark horse' Judge Sandile Ngcobo had taken the lead in the race to succeed current Chief Justice Pius Langa.[2] Judges and legal commentators had privately suggested that Ngcobo was the most credible of those candidates 'politically palatable' to President Jacob Zuma and the ruling ANC. Sources close to the succession process had informed the *Mail & Guardian* that Minister of Justice Jeff Radebe favoured Ngcobo as the 'head of an envisaged new-look judiciary'. That the same decade had seen Judge Ngcobo decide against the ANC's version of the Boipatong massacre at the TRC seemed to make no difference. The Boipatong metaphor lay buried, scattered in decay, fading from popular recollection. In the previous week, South Africa had celebrated Soweto Day on June 16, commemorating a watershed moment in the history of the country's liberation. No such remembrance had been set aside for June 17.

Had the ANC succeeded in gaining favourable closure over what happened in Boipatong, the country may have chosen to commemorate June 17. Instead, the meanings the ANC once successfully attached to the massacre have been whittled down by repeated contestation. Much of this contestation has come from

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1 George Orwell, *Homage to Catalonia*, p. 236.

2 Sello S. Alcock, 'Concourt dark horse takes the lead', *Mail and Guardian*, 24 July 2009, http://www.mg.co.za/article/2009-07-24-concourt-dark-horse-takes-the-lead (last accessed: 26 July 2009).

people never aligned with ANC opponents, including independent investigators from abroad, more than a hundred Boipatong residents in court, and the man favoured as the next Chief Justice. In contrast, the story of the Soweto uprising, of resolute black youths defying white persecution with momentous effect, has remained steadfast. Even though the Boipatong massacre has faded from popular memory, research into the transition tends to acknowledge the pivotal importance of the event. Yet, while cursory in its attention to the event's details, this research also tends to tow the ANC line, citing the massacre as evidence of a third force. It appears thus that such scholarship is embedded in the discursive processes it set out to study.

The Boipatong massacre occurred a day after the ANC began its mass action campaign, with negotiations deadlocked and national and local politics increasingly entwined. In this context, the massacre provided a symbolic opening through which the rules of a new order could be brought much closer to fruition. Political actors seized upon this moment, hoping to reconstitute those social structures which the transition's dawning had left dislocated. Certain performances were decisive. ANC leaders gestured to the residents of Boipatong, to the country, and to the world with great effect. Boipatong's people were not a passive audience. Their anger with police was manifest hours before their leaders sought to rouse it. Whether or not the accusations they levelled were true, their call for change reverberated across the country, through the authoring of testimonies, the stamping of feet, the singing of songs, and throwing of stones. South Africa and the world stopped to listen. Ensuing struggles over the meaning of Boipatong saw the gap it had opened expand ominously into a darkening chasm, threatening to force the pieces of South Africa's torn landscape further and irrevocably apart. It was de Klerk who chose to relent. The swirling mass anger that animated the abyss was aimed at him and his government, as was the brunt of international reproach. Before Boipatong, he had fought tenaciously to retain minority powers, all the while seeking majority support. After the massacre, he resigned himself to the new role of benefactor to the ANC's inevitable rise. The NP would no longer pursue the retention of power through collaboration with the IFP, nor would it stand idly by as violence continued unabated.

The Boipatong massacre gives a vivid picture of the discursive struggles that brought the South African transition to its culmination. Here in this moment, subjects were successfully interpellated into a new discursive order. This process of interpellation was vast and multi-faceted, a complex of diverse interactions among the South African public, political leaders, academics and the media, as well as their equivalents around the globe. Some made decisions about structure. Many chose to accept those decisions. Others were forced to accept them. These decisions spoke to something much bigger than Boipatong. While evidence of

third force involvement was scant, there was nevertheless a degree of justice in the massacre's reception. Popular reaction spoke to a broader context of repression, wherein the state repeatedly sought to undermine the ANC, using underhand, often violent methods. This broader context continues to hold emphasis in both popular memory and scholarship, thereby diverting focus from consideration of Boipatong's forensic details. Indeed, knowledge of the event can never be seen as distinct from the discursive struggles that continue to define it.

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