THE RULE OF BRIGADIER OUPA GQOZO IN CISKEI :

4 MARCH 1990 TO 22 MARCH 1994.

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ABSTRACT.

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Although the history of the Eastern Cape has been recorded from the eighteenth century, virtually nothing has been written about the political entity known as the independent Republic of Ciskei (1981 – 1994). This hiatus in our history, coupled with the fact that many of the official records of that period have been destroyed, make it imperative that the role-players of the period be contacted and their evidence be recorded before it is lost to prosperity. This need has motivated the writing of the thesis.

The thesis commences with a brief description of the early history and constitutional development of Ciskei. It then has a substantial chapter on Lennox Sebe, the ruler of Ciskei from 1973 to 1990, who is described as the catalyst of Gqozo's coup d'état This is followed by a short personal biography of Oupa Gqozo, and his rise to the position of Brigadier in the Ciskei army. On 4 March 1990 Gqozo led the coup by the Ciskei Defence Force that dethroned Sebe. At the outset he ruled in an exemplary manner, but after being misled by South African agents he turned against the African National Congress and his own people. When he established his own party, the African Democratic Movement, and re-instated the hated headman system, civil war followed in Ciskei. Separate chapters in the thesis relate the various traumatic events that occurred during Gqozo's reign: the killing of Anton Guzana and Charles Sebe; the dismissal of the senior officers of the CDF; the strife during 1991/2; the Bhisho Massacre; its aftermath; the mutiny by the security forces and Gqozo's resignation on 22 March 1994.

The thesis concludes that although Brigadier Gqozo respected the rule of law, and was free of corruption, he was devoid of the necessary academic qualifications, experience and ability, including the necessary insight and foresight, to rule a country. He became paranoid about his own safety and the possible overthrow of his government, and he was too easily swayed by others. In short, Gqozo was inept, rather than evil.

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PREFACE

Having grown up and worked in various towns in the Eastern Cape, I have always had an affinity for the history of its three constituent parts: the Border area, Ciskei and Transkei. This interest was quickened when, as a judge in the Supreme Court, Mthatha (1989 to 1994) and the Supreme Court, Bhisho (1995 to 2003), I presided over cases that stemmed from events that occurred during the era of the independent Republics of Transkei and Ciskei. The erstwhile leaders of those states – K.D. Matanzima, George Matanzima and Bantu Holomisa of Transkei, and Lennox Sebe and Oupa Gqozo of Ciskei - featured prominently in some of the cases. One of the trials concerned the efficacy of the award of a farm by the Transkei government to its Prime Minister, George Matanzima. Another was the criminal trial that emanated from the Bhisho Massacre, in which two soldiers were charged with murder for having fired on the demonstrators. There was also the civil trial in which one of Gqozo's intelligence agents, Gerrie Hugo, who during 1991 fled to Transkei, claimed damages for wrongful dismissal.

During my stint on the Bench it struck me that although all the historical events of the Eastern Cape since at least the seventeenth century - the internecine struggles of the Xhosa, the frontier wars, the Nongqawuse tragedy, the 1820 English Settlers and the German Settlers - have been faithfully recorded, very little, if anything, has been written about the two independent Republics of Transkei and Ciskei, let alone about their leaders. The attention of scholars in respect of the time span when Brigadier Oupa Gqozo ruled Ciskei – 1990 to 1994 – has been centered largely on KwaZulu and Chief Mangosuthu Butulezi, and to a lesser extent on Bophuthatswana, and very little has been written about events in Ciskei. It therefore appears that there is a dire need that the history of Ciskei during that period be recorded before it is lost. It is hoped that this thesis, which covers a portion of those events, will help to fill a small part of the void.

The concern that the history of the two republics be recorded before it is lost has been underscored by two experiences during my research. The first occurred when I approached officials at the Eastern Cape Legislative Buildings, Bhisho, and requested copies of official documents relating to President Lennox Sebe and Brigadier Gqozo, only to be told that none was available. The officials informed me that after the demise of the Sebe regime, all official documents of that era were burnt, and after Gqozo's resigned as head of state, all documents of his time were placed in a room and no one knows what has happened to them! Similarly, no documents could be found in the East London Museum, the Amathole Museum, King William's Town, the archives of the Department of Sport, Recreation, Arts and Culture, King William's Town, or at the University of Fort Hare. The only available documents are some in the Cory Library for Historical Research, Grahamstown, and those that individual role-players have retained.

The second experience that heightened my concern was when I read the recent publication *New History of South Africa*, which covers the history of South Africa from 300 AD to 2006. Its authors are 31 of South Africa's top historians, and it is edited by Professor Hermann Giliomee, the Extraordinary Professor of History at the University of Stellenbosch, and Professor Bernard Mbenga, the Associate Professor of History at the North-West University. Despite the fly-leaf stating that it is a comprehensive history of South Africa, you will not find in it more than a passing mention, and certainly no discussion, of the history of the independent Republics of Transkei and Ciskei, or of their leaders. Does this mean that such events as the attempted coup in Transkei, the coup in Ciskei and the killing of Charles Sebe and Onward Guzana, are not considered part of our history or, even worse, are considered so inconsequential as to be relegated to the dustbin? I hope not.

As this dissertation covers what may be termed 'contemporary history,' which has yet to be recorded, heavy reliance has been placed on the memories of those who were role-players when the events occurred. To all those participants who have been helpful and who have given of their time and knowledge, I extend my sincere thanks. With -

out their help this thesis would not have seen the light of day. The following persons, who either held posts in the governments of Lennox Sebe or Oupa Gqozo, or were associated in some or other way with those governments, have kindly afforded me personal interviews : Brigadier Oupa Joshua Gqozo (Head of State) and his wife Corinthian, Lieutenant Colonel Siphiwo Silence Pita (Gqozo's deputy), Advocate Keith Matthee (legal adviser and Minister of Justice and Constitutional Development), Advocate Viwe Notshe (Minister of Police, Prisons and Traffic), Advocates Izak Smuts and Stuart Redpath (legal advisers), Advocate Sally Collett (Gqozo's personal advocate), Advocate Arnold Theron (Chairman, State Trust Board), Attorneys Malcolm Webb (legal adviser and Minister of Foreign Affairs) and Russell Linde (Public Defender), Dr Henk Kayser (Minister of Health), General Z.Makuzeni (Commissioner of Police and later Minister of Police), Colonel J.N.Lawana (Minister of Finance and Economic Affairs), Douw Steyn (Ambassador Plenipotentiary under Sebe, and Co-ordinator of Special Projects under Gqozo), Mluleki George (President of the UDF from 1986 to 1992 and subsequently South African Deputy Minister of Defence), Roelof Frederik (Pik) Botha (South African Minister of Foreign Affairs), Brigadiers C.J.Naude and A.R.Theunissen (Officers in the Ciskei Police Force), Lieutenant Colonel Lalela Nelson Naka (Officer in the Ciskei Defence Force), Sergeant Major Thozamile Veliti (Member of the CDF), Colonel W.de Lange (Member of the South African Security Police), Messrs H.Salie and C.L.Attwell (At different times Directors General of Works), Anthoni Stylianou (Director of the Ciskei Agriculture Corporation Limited), Reverend Bongani Finca (President of the Border Council of Churches and Transitional Administrator appointed after Gqozo's resignation), Prince Z.Burns-Ncamashe (A member of the Rharhabe Royal House and the Deputy Chairman of the Eastern Cape House of Traditional Leaders), Reginald Mason (Chairman, Border Peace Commission), Sipho Tanana (National President of the African Federated Chamber of Commerce and Industry), Louise Flanagan and Andrew Trench (Reporters on the *Daily Dispatch*), Michael Kenyon (A member of Rhodes University Surplus Peoples Project), Ruth Roach (Nursing Sister, Grey Hospital, King William's Town) and Dr K.Rivett (Ophthalmologist). I also held telephonic interviews

with the following role-players: Norman Goodes (Human Resourches Manager, Hlobane Colliery, KwaZulu Natal) and J.Bezuidenhout and W.Jurgens (Attorneys-General of the Ciskei). The dates and places of the personal interviews are reflected in the footnotes.

Another substantial source of information has been the written media, in particular the *Daily Dispatch* and *Eastern Province Herald* newspapers, which are printed in East London and Port Elizabeth, respectively, and distributed throughout the Eastern Cape. Information gleaned from whatever source has, wherever possible, been checked and verified against other sources.

Very few books cover the historical events that occurred in Ciskei during the regimes of Lennox Sebe and Oupa Gqozo. The bibliography herein lists those that have been consulted. *Warfare by Other Means* by Peter Stiff, *Borderline* by Patrick Goodenough, and *Armed and Dangerous* by Ronnie Kasrils, devote chapters to portions of this history. For the rest, such works as *Ciskei: Economics and Politics of Dependence in a South African Homeland* by Nancy Charton, *Divide and Rule* by Barbara Rogers, *Tomorrow is Another Country* by Allister Sparks, and *Move your Shadow* by Joseph Leyleveld, and the others mentioned in the bibliography, cover South Africa's homelands policy and its effect on, inter alia, Ciskei. The first book, *Warfare by Other Means,* records the final years of the 'total onslaught' of the apartheid era in South Africa, and deals with the 'swathe of assassinations - the ruthless killings of friends and foes alike - and the destruction and mayhem committed at home (South Africa) and abroad.' The book stresses the acts and approach of the South African government and its security forces during those times. Because the 'onslaught' spilt over into the independent homelands, the book includes chapters on Ciskei and Transkei. It deals with subjects such as Operation Katzen, the Xhosa resistance movement (Iliso Lomzi), Brigadier Oupa Gqozo's coup, the International Researchers - Ciskei Intelligence Service (IR-CIS) and the killing of General Charles Sebe and Colonel Onward Guzana. These and other issues are covered in greater detail in this thesis.

Although the majority of facts given in *Warfare by Other Means* are correct, there are three instances in which this thesis differs from the version given in the book. The first is whereas Stiff merely skims over the harsh, autocratic and nepotistic rule of Lennox Sebe, this dissertation deals with his rule in some detail and considers it to be the catalyst of Gqozo's coup d'état. The second is that the book covers Gqozo's coup mainly from the perspective of the South African government and its ambassador to Ciskei, but this thesis renders a more 'hands-on' account of how the coup occurred and of the parts played by the various role-players. The third difference is the most noteworthy. Stiff implies that the coup which enticed Charles Sebe and Onward Guzana into Ciskei, before they were killed, was actually planned and intended by the Ciskei Defence Force (CDF). All those interviewed for this thesis are adamant that this is incorrect and that it was no more than a phantom coup, the brain-child of the agents of the IR-CIS. It was fabricated by them to lure the two men into Ciskei so that they could be arrested or killed. This issue is dealt with in detail in Chapter 3.2.

In the second book, *Borderline,* Patrick Goodenough deals with the 'murder, corruption and intrigue on the Eastern Frontier' during the 1980's and 1990's. His work is simply a broad recording of the events that took place in the Eastern Cape Province – the Border area, Ciskei and Transkei - during that time. In it there are chapters on Lennox Sebe, Operation Katzen, Gqozo's coup and the death of Guzana and Charles Sebe.

In the third book, *Armed and Dangerous,* Ronnie Kasrils, who was the head of military intelligence in Umkhonto weSizwe and who later became the South African Deputy Minister of Defence and then the Minister of Water Affairs and Forestry, has devoted one chapter, 'Going for the Gap,' to his part in the Bhisho Massacre.

Although the aforementioned works are helpful in a study of Brigadier Oupa Gqozo, there is, as yet, no definitive work on his life or term as ruler of Ciskei.

CHRONOLOGY

DATE	CISKEI	REST OF SOUTHERN AFRICA
10.3.1952	Oupa Joshua Gqozo is born in Kroonstad.	
1958-1966		Dr H F Verwoerd is Prime Minister of South Africa.
1960		Police kill 67 demonstrators at Sharpeville.
1961		ANC and PAC are banned; ANC begins armed struggle and Umkhonto weSizwe is established.
1961		South Africa becomes a republic and leaves the Commonwealth.
1963		Mandela and other leaders of ANC sentenced to life imprisonment.
1966		Dr Verwoerd assassinated.
1966		Basutoland (Lesotho) and Bechuanaland (Botswana) gain independence.
1968		Swaziland gains independence.
1971	Gqozo matriculates in Kroonstad	
1972	Gqozo joins S.A. Prison Service.	
1975		Angola and Mozambique gain independence.
1977	Gqozo joins S.A.Defence Force.	

1978	Gqozo marries Corinthian.	
1981	Gqozo joins Ciskei Defence Force.	
1981	Ciskei attains independence.	
1981	Lennox Sebe elected President of Ciskei.	
1983		UDF established.
1978-1984		PW Botha is Prime Minister of S.A.
1984-1989		PW Botha is the State President.
1987	Gqozo appointed Ciskei Military Attaché to South Africa in Pretoria.	
1989		FW de Klerk becomes State President.
1990		Mandela released from prison; ANC, PAC, SACP and UDF unbanned, and new South Africa, based on universal suffrage, announced.
4.3.1990	Lennox Sebe is dethroned in military coup led by Brigadier Oupa Gqozo.	
1990	New constitution, bill of rights and labour regulations enacted by Ciskei.	
Sep/Dec 1990	Ethnic violence between Zulu and Xhosa on collieries in Natal.	
Oct/Nov.1990	IR-CIS moves into Ciskei and Gqozo becomes anti-ANC.	
27/28.1.1991	Colonel Onward Guzana and General Charles Sebe killed.	

9.2.1991	Senior officers of Ciskei Defence Force (CDF) arrested for phantom coup.	
1991	Gqozo commences new political party – African Democratic Movement (ADM) - and appoints headmen.	
1991	Violence between ANC and ADM commences	
20.12.91		Codesa commences its negotiations
May 1992		Negotiations at Codesa 2 break down and ANC walks out.
17.6.1992		Boipatong Massacre
7.9.1992	Bhisho Massacre.	
26.9.1992		F.W.de Klerk (National Party) and Nelson Mandela (ANC) sign Record of Understanding in Pretoria.
12.4.1993.		Chris Hani is assassinated.
13.12.1993.		60 people, including 3 members of Afrikaanse Weerstandbeweging (AWB), die and 300 injured in riots in Bophuthatswana.
13.12.1993	Gqozo is acquitted of the murder of Charles Sebe.	

14.3.1994		South Africa informs President Mangope of Bophuthatswana that he is replaced by two administrators.
22.3.1994	Ciskei Police hold their officers, and their wives, hostage and civil servants ransack government buildings.	
22.3.1994	Gqozo resigns and two administrators are appointed to administer Ciskei.	
27.4.1994.		ANC wins general election for unified South Africa - ADM wins no national or provincial seats.
6.9.1996	Gqozo sentenced for illicit diamond dealing to a fine of R10 000-00 and 3 months imprisonment; the latter suspended for 5 years.	
19.6.2001	Gqozo shot in Mama affair.	
1994 -	Gqozo and Corinthian live peacefully on the farm Blacklands in the King William's Town district.	

CHAPTER 1.1

THE EARLY HISTORY OF CISKEI : 1700 TO 1866

That alluring part of our land that was previously the Republic of Ciskei, and is still known colloquially as Ciskei, is situated on the southern seaboard of Africa. It is bounded by the Kei River in the East, the Fish River in the West, the Stormberg Mountains in the North, and the Indian Ocean in the South. The Ciskei is one of two traditional homes of the Xhosa people, the other being Transkei. The two territories are separated by the Kei River, hence their respective names: 'this side' and 'across' the Kei.

Conditions in Ciskei have always been different from those in Transkei. For instance, whereas Ciskei until fairly recently consisted of numerous separated parts, with few and weak chiefs, Transkei has always been a single consolidated territory under powerful chiefs. Many areas in Ciskei had no chiefs at all. Furthermore, the chiefs in Ciskei were not treated with the same measure of respect by their subjects as those in Transkei. This was possibly due to the citizens of Ciskei being mainly a working-class who were employed daily in the neighbouring towns, as opposed to the rural population of Transkei, which resulted in the former being more assertive, and even more militant, than their rural brothers across the Kei. Only after the enactment of the Bantu Authorities Act, 68 of 1951, were the powers of chiefs and headmen in Ciskei enhanced. The consolidation of Ciskei into a single area commenced in the 1970's.

In his article 'The Imposion of Transkei and Ciskei' Professor J.B.Peires, a well-known author and Professor at the universities of Rhodes and Fort Hare, makes the following comparison between Ciskei and Transkei:

> Like Transkei, Ciskei is a Xhosa-speaking area. But there all similarity ends. Ciskei, with a resident population of just fewer than one million, is much smaller than Transkei, but much more densely settled. Whereas Transkei is largely rural with a traditionalist peasant population, subject to powerful chiefs, Ciskei is heavily urbanized and industrialized with a largely

> proletarianized population which scarcely respects chiefs and traditions. Transkei is relatively isolated and self-contained, while Ciskei is little more than the black hinterland of Queenstown, King William's Town and East London….. [1]

The political, social and economic differences between Ciskei and Transkei have always been so pronounced that the amalgamation of the two areas has never been contemplated seriously. To the contrary, the likelihood of this happening has often been belittled, as did the Chief Minister, Lennox Sebe, when he stated in the Ciskei Legislative Assembly in 1976:

> I have often said that our people cannot eat flags or constitutions…….Of what benefit would it be to Ciskei to become part of independent Transkei….Is any benefit to be found in one destitute family joining another to sit down at an empty table?[2]

At independence in 1981 Ciskei, which is now an integral part of the Republic of South Africa, had a population of approximately one million people. Its territory, which is slightly smaller than that of Wales in the United Kingdom, was divided into nine magisterial districts. It was renowned for its famous educational centres: Healdtown, Lovedale College and Fort Hare University, to name but a few, which had their origins in mission activities within its borders.

It is a beautiful and peaceful part of South Africa. Its mountains, forests, rivers, savanna, plains and coastal area are an enjoyable and pleasing sight to tourists. This idyllic lotus-eater scene, however, belies its tumultuous past. The area has seen its fair share of wars, upheavals and controversies. These include nine frontier wars, the cattle-killing and starvation that followed the prophesies of Nongqawuse, the tyranny of Lennox Sebe, the

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[1] . J.B.Peires, 'The Implosion of Transkei and Ciskei,' in *African Affairs* 91 (1992), 365-387.
2. N. Charton, *Ciskei: Economics and Politics of Dependence in a South African Homeland (*London, 1980), 164.

escape from prison of Charles Sebe, the coup d'état led by Brigadier Oupa Gqozo, the killing of Onward Guzana and the murder of Charles Sebe, and the Bhisho Massacre.

The Xhosa inhabitants of Ciskei are proud of the land in which they live, and their leaders often invoke its heroic past. In his address to the Ciskei National Independence Party on 14 March 1979, Chief Minister Lennox Sebe expressed this patriotism, which is symptomatic of all Xhosa people, as follows:

> For myself, I find my strength, my courage, my inspiration, my total commitment to our national goal in the stirring life examples of our warrior leaders of the past; those forefathers whose spiritual strength still anoints the nation today. We have the mighty Ngqika, father of us all, the mighty warrior Maqoma, and other prophets and warriors; our Ntinde, Mdange, Mbalo, Cungqwa, Sandile, Khama and many more. Our history shows that for over a hundred years these valiant chiefs fought with courage against overwhelming odds to defend our sovereign right for survival as a free and independent people.[1]

Early in the eighteenth century Phalo, the Paramount Chief of the Xhosa, lived in the territory between the Bashee and Kei Rivers, in what is today known as Transkei. Phalo's son, Gcaleka, was his heir from the Great House, and another son, Rharhabe, was from the lesser Right-Hand House. According to Xhosa custom, Gcaleka was the rightful successor to his father's title.[2]

When Gcaleka tried to usurp the paramountcy before his father had died, Rharhabe supported his father in the fighting that ensued. After Gcaleka had been defeated, Rharhabe decided to seek a new home and in 1750 moved with his followers westwards across the Kei River into the present-day Ciskei. Phalo, fearing for his life, accompanied Rharhabe to his new home.

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[1] . L.L.W.Sebe, *Challenges* (Johannesburg, 1980), 141.
[2] . H.L.Crause et al, *The Ciskei, its Welfare and Social Services* (Port Elizabeth, 1982), 28, & Ciskei Department of Foreign Affairs, *Ciskei at Independence* (Johannesburg, 1981), 17.

At the time Ciskei was occupied largely by Khoikhoi, who resented this invasion of their land. In the inevitable battle that followed the Khoikhoi chief was killed. Rharhabe then bought from the Khoikhoi queen, Hoho, for a large number of cattle, the land between the headwaters of the Buffalo and the Keiskamma rivers, which included the Amathole mountain region, and settled there with his followers.

Thus was the Xhosa kingdom split into two separate and autonomous parts - the Rharhabe in Ciskei, and the Gcaleka in Transkei - a division that persists to this day.[1]

The other ethnic group to settle in Ciskei was the Mfengu, a generic name for several distinct groupings of associated clans who fled during the time of Shaka (1818-1828) and settled in both Transkei and Ciskei. On 14 May 1835 the Mfengu gathered under an old milkwood tree in the Peddie district and swore to accept christianity and British rule. They then fought alongside the British forces in the frontier wars and were rewarded with extensive tracts of Rharhabe land.

When in the eighteenth century the white colonists, who were moving eastwards along the Southern African coast line, met the Xhosa, who were moving westwards, in the vicinity of the present-day Ciskei, war was inevitable. Both communities were pastoralists and both were seeking savanna on which to graze their stock. Regrettably there was insufficient such land to meet the needs of both parties and the confrontation led to the nine frontier wars, waged between 1779 and 1878.[2]

During this period the Xhosa were also involved in their own internecine wars. There were battles between Rharhabe and Ngqika, and later between Ndlambe and Ngqika, that culminated in the defeat of Ngqika at the famous battle of Amalinde. It was in this battle that the renowned Maqoma for the first time distinguished himself as a great warrior.[3]

In 1847 the British named the land between the Keiskamma and Kei Rivers 'British Kaffraria', which they annexed in 1866 and made part of the Cape Colony.[4]

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[1] . Peires, 'The Implosion,' 265 – 387.
[2] . N.Mostert, *Frontiers* (London 1992), 230 et seq.
[3] . Ciskei Department of Foreign Affairs, *Ciskei at Independence*, 19.
[4] . W.C.Els, *The Ciskei – A Bantu Homeland – a general survey* (Alice 1971), 201 .

Although the original British Kaffraria formed the geographic core of Ciskei, once the borders of Ciskei were stabilised in the 1970–1980's, they were not the same as those of British Kaffraria. The boundaries changed considerably during this decade as the districts of Herschel and Glen Grey were transferred to Transkei in 1975, while Ciskei gained the commercial farming district of Stockenstroom (now Balfour and Seymour) as well as extensive tracts of commercial farm land in the Whittlesea and King William's Town districts.

Ciskei therefore existed as a distinct political entity, within stable geographical boundaries, only from 1972 (the year of the Ciskei Constitution Proclamation) to 1994, the year in which it reverted to the greater South Africa. For a more detailed discussion of the constitutional status of Ciskei, including the question of Ciskei citizenship, see the following chapter and also F.G.Ritchings, 'The Ciskei Constitution'. [1]

There has strictly speaking never been, other than during the time of the independent republics of Transkei and Ciskei, a group of people with a genuine Transkeian or Ciskeian nationality. The people who inhabited Ciskei were either Rharhabe or Mfengu. The Rharhabe were related to the Gcaleka in Transkei, and the Mfengu to the Mfengu in Transkei. The origin of the so-called Ciskeians is therefore not ethnic, but rather administrative.

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[1] Charton, *Ciskei,* 61-3.

CHAPTER 1.2

FROM VOICELESS CITIZENS TO INDEPENDENCE: 1866 TO 1981.

The territory known as Ciskei was governed by the colonial and South African governments for the greater part of the nineteenth and twentieth centuries. The black people of Ciskei, like the majority of their black compatriots in the rest of South Africa, had no vote and therefore no say in their own governance, nor in their political or constitutional future.

The South African Native Land Act, 27 of 1913, shaped land policies in South Africa. It transformed the black reserves throughout the country, one of which was Ciskei, into inalienable black land and the only areas where blacks could lawfully acquire possession of land. This restriction did not apply to the Cape Province until after 1936, when the blacks in that province were stripped of their voting rights.[1] The Development of Native Trust and Land Act, 18 of 1936, enlarged the area of Ciskei and on 27 November 1981 the areas of Hewu (Whittlesea), Keiskammahoek, Mdantsane, Middledrift, Peddie, Victoria East (Alice) and Zwelitsha were transferred from South Africa to Ciskei. This then became the extent of the territory of Ciskei at independence in 1981.

The notion of developing defined territorial units for different black ethnic groups has been traced back to the early years of the Union of South Africa, long before the policy of separate development was formally articulated by the National Party after 1948.

On 22 May 1917 the then Prime Minister of South Africa, General J.C.Smuts, in a speech delivered at the Savoy Hotel, London, described the process as follows:

> Thus in South Africa you will have in the long run large areas cultivated by blacks and governed by blacks, where they will look after themselves in all their forms of living and development, while in the rest of the country you will have your white communities, which will govern themselves separately according to accepted European principles.[2]

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[1] . L.Platzky & C.Walker, *The Surplus People: Forced Removals in S.A.* (Johannesburg, 1985), 8.
[2] . Transkei Department of Foreign Affairs, *The Republic of Transkei (*Mthatha,*1976),* 201.

General Smuts' successor, General J.B.M.Hertzog, declared in a speech at Smithfield in 1925:

> The native question cannot be allowed hanging like a threatening sword over the heads of whites and blacks for lack of solution …..The aim must be to develop and train the native to enable him to take charge of his own affairs in his own territories.[1]

The South African government's belief in separate development was intensified when the National Party came to power in 1948, and the policy reached its pinnacle during the 1950s and 1960s under Dr Hendrik Verwoerd, who was first Minister of Native Affairs and then Prime Minister.

R.F. (Pik) Botha, the South African Minister of Foreign Affairs from 1977 to 1994, maintains that many Afrikaners, especially church leaders, academics and professional people, wished to overcome the immoral aspect of apartheid by granting independence to black people in their own areas of South Africa (homelands).[2] Each independent black state would have its own parliament, executive, administration, army, courts, etc., which would result in its people developing pride in their own country. This belief at the time in the morality of the homelands policy was later echoed by a former State President of South Africa, F.W.de Klerk, in his book *The Last Trek; a New Beginning*, although he was quick to add that the policy turned out to be a failure. The following were his feelings when he, as a young politician, heard the statement of the then Prime Minister, Dr Hendrik Verwoerd, that South Africa would implement the homelands policy:[3]

> He gave us what we imagined would be a moral solution to our complex problems because it would assure the rights of all South Africa's peoples – including our own – to self-determination and full political rights within their own areas.

This altruistic view of the motivation behind the conception of the policy of bantustans, homelands and then separate states, which is also mentioned by the authors of *New*

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[1] . Transkei Department of Foreign Affairs, *The Republic of Transkei, 201.*
[2] . Interview, Pik Botha, Pretoria, 28 Dec 2007.
[3] . F.W.de Klerk, *The Last Trek: A New Beginning.* (Cape Town, 1998), 30.

History of South Africa,[1] is, however, a far cry from the utterances and obvious intentions of those in power at the time. Their statements reflect that the main purpose behind the homelands and separate development policies was to retain the supremacy of the white man in South Africa, and to create reservoirs of cheap black labour for his mines and industries. This would be done by establishing homelands for the various black tribes of South Africa; denuding all blacks in white areas of their South African citizenship and instead granting them citizenship in one of the black states; allowing only those blacks who were in white employment the right to remain in white areas, and, lastly, by removing to a black state all blacks who were not so employed, irrespective of whether they had ever lived or been in that black state before. This line of thought could hardly have envisaged the homeland policy ameliorating the harsh aspects of apartheid, but must rather have been seen as the ultimate culmination of that Draconian policy.

As early as 1922 the Stallard Commission reported that a black person:

> ....should only be allowed to enter the urban areas, which are essentially the white man's creation, when he is willing to enter and minister to the needs of the white man, and should depart therefrom when he ceases so to minister.[2]

In 1933 the Afrikaner Broederbond issued a secret circular which stated:

> Total segregation should not be an ideal, but the immediate practical policy of the state……..The opportunity should be provided for different tribes to gather in separate areas. Then it should be made compulsory for these groups of natives to return to these areas.[3]

In 1961 the then Prime Minister, Dr Hendrik Verwoerd, admitted that by creating the homelands the South African government would 'thereby be buying the white man his freedom and the right to retain domination in his country.'[4]

In 1967 the Department of Native Affairs issued the following directive:

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[1] . H.Giliomee and B.Mbenga , *New History of South Africa* (Cape Town, 2007), 323.
[2] . B.Rogers, *Divide and Rule - South Africa's Bantustans (*Newgate, 1976), 14.
[3] . I.Wilkins and H.Strydom, *The Super Afrikaners; Inside the Afrikaner Broederbond* (Jhbg, 1978), 191.
[4]. Rogers, *Divide and Rule*, 8.

> It is accepted government policy that the Bantu are only temporarily resident in the European areas of the Republic, for as long as they offer labour there. As soon as they become, for some reason or another, no longer fit for work or superfluous in the labour market, they are expected to return to their country of origin, or the territory of the national unit where they fit in ethnically…….no stone is to be left unturned to achieve the settlement in the homelands of non-productive Bantu at present residing in European areas.[1]

The category of 'non-productive Bantu' included the aged, unfit, widows and women with dependant children.[2]

M.C.Botha, the Minister of Bantu Affairs, in 1970 summarised the policy of black labour in the white areas as follows:

> As far as I am concerned the ideal condition would be if we could succeed in due course in having all Bantu present in the white areas on a basis of migratory labour only.[3]

The Bantu Homelands Citizens Act, 26 of 1970, declared that every black person in South Africa had lost his South African citizenship and would in future become the citizen of one of the homelands.

In 1976 the Minister of Bantu Administration, Dr Connie Mulder, spelt out the citizenship question as follows:

> If our policy is taken to its logical conclusion as far as the black people are concerned, there will not be one black man with South African citizenship.[4]

The ANC and PAC consistently condemned the homelands policy. The President of the ANC, Oliver Tambo, stated in a speech to the United Nations on 26 October 1976:

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1. General Circular 25 of 1967.
2. General Circular 25 of 1967.
3. Rogers, *Divide and Rule*, 15.
4. - do - , 17.

> We state now, as we stated then (at the inception of the bantustan programme), that an incontrovertible part of the demands of our people is that there shall be one united and democratic South Africa. We will never abandon our birthright to the ownership and control of the whole territory of our country, nor countenance any attempts to balkanise it, and to set its people one against another in tribal, racial or national conflicts.[1]

In 1950 the government appointed the Tomlinson Commission to consider the socio-economic development of black areas and to report on the feasibility of creating independent black states. In its report, published in 1956, the commission argued that homelands could become viable and economically self-sufficient only if the government met certain prerequisites. These were that the government consolidate and extend the black reserves, which had been created by the Development of Native Trust and Land Act, 18 of 1936, and would be the territorial basis for the homelands; that the government in the first ten years invest £104 million in the homelands, and, lastly, that it allowed private white investment in the homelands, which would establish industries and thereby create work opportunities.[2]

Dr Verwoerd, the then Minister of Native Affairs, rejected the recommendations of the Tomlinson Commission and refused to spend money on consolidating and extending the reserves. This resulted in 80 per cent of the population being allocated only 13 per cent of the land in South Africa. Verwoerd also refused to make government investments in the new homelands. In the period 1956-1961 the government spent only £7.9 million on the territories. Lastly, Verwoerd forbade investment by private white enterprise in the homelands as that would be contrary to the policy of apartheid. Although the ban on private investment was subsequently lifted, for the time being, without public or private capital, all hope of dynamic development in the homelands was extinguished.[3]

To overcome the lack of investment, and therefore employment in the homelands, the South African government, despite the policy of separate development, encouraged the establishment of industries on the borders of the homelands. The black labour force for such industries would live in the homeland and daily commute across the border into South Africa

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1 Rogers, *Divide and Rule,* 34.
2 . Giliomee and Mbenga, *New History of South Africa,* 323.
3. - do - , 324 & Omer-Cooper, *History of Southern Africa,* 214.

to work. Examples of this policy in Ciskei were the workers who lived in Mdantsane Township (Ciskei) and worked in East London (South Africa), and those who lived in Zwelitsha and worked in King William's Town.[1]

To carry out its policy of denuding white South Africa of all its black citizens the South African government in the 1960's embarked on a policy of mass removals of 'black spots' from South Africa to the homelands. This was made possible by the provisions of the Native Administration Act, 38 of 1927, which authorised the Governor-General (later the State President) to order the removal of any tribe, or portion thereof, or any black person, from any place to any other place in South Africa, upon such conditions as he determined. As John Dugard stated in *Denationalisation : Apartheid's Ultimate Plan in Africa*:[2]

> Pretoria has set in motion the implementation of its ultimate fantasy – a South Africa in which there are no black South African nationals or citizens; a South Africa that cannot be accused of denying civil political rights to its black nationals for the simple reason that there will be no black South Africans, only millions of migrant labourers (or guest workers, as the fancy sees them), linked by nationality to a collection of unrecognised, economically dependant mini-states on the periphery of South Africa.

During the period 1960-1983 at least 3.5 million people were forcibly removed to new destinations in South Africa or the homelands, and the percentage of the South African population living in the latter rose from 39 to 53 per cent. In the Eastern Cape an estimated 401 000 people were removed in this manner, and a further estimated 475000 were under threat of removal.[3] The conditions in Ciskei, to which thousands of people were removed, were described as the worst in the country: unemployment was running at 30 per cent.[4]

The biggest single movement to Ciskei took place during 1976 after the districts of Herschel and Glen Grey were excised from Ciskei and ceded to Transkei, in exchange for less, but

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[1] . J.D.Omer-Cooper, *History of Southern Africa* (Oxford, 1987), 215.
[2] . Platzky & Walker, *The Surplus People*, 10.
[3] - do - , 10 &11.
[4] . - do - , 17.

better land in the districts of Hewu (Whittlesea) and Stockenstroom (Seymour). Between 40 000 and 65 000 people, who feared living under the Matanzimas in Transkei and did not want to lose their South African citizenship, wished to move to Ciskei. The move was obtained by guile, rather than force. They were shown fertile farms near Queenstown, but not told that they would have to share the land with thousands of others. They were then voluntarily moved to the settlement camps at Thornhill, Zweledinga and Oxton in the Whittlesea district.[1]

During the same year further forced removals to Ciskei occured when 400 families of the Mfengu community, who lived in small reserves in the lower Tsitsikama forest, near Humansdorp, were, despite their strenuous resistance, moved to Elukhanyweni near Keiskammahoek.[2]

The next forced removal to Ciskei occurred when the 'unemployed African squatters' on the farm Klipfontein, near Kenton-on-Sea, and others from Coega, near Port Elizabeth, were moved to Glenmore in Ciskei. This was followed by the forced removal of the community at Riemvasmaak reserve, near Augrabies Falls. 920 members of the community were moved to Damaraland in Namibia, and 43 families to Welcomewood in Ciskei. The community had been at Riemvasmaak for generations and they could not speak Xhosa, only Afrikaans. Mr Andy Russell, a Rotarian, tells how one of the black men who had been moved to Welcomewood complained to him: 'Meneer, hulle vat ons daar weg en kom sit ons hier tussen die swart mense!' ('Sir, they took us away from there and put us here amongst the black people.')[3]

Volume 2 of the report by the Surplus Peoples Project, which covers the forced removals in the Eastern Cape from 1970 to 1983,[4] lists the following places in Ciskei where settlements occurred during that period: Mdantsane district – Mdantsane and Potsdam; Zwelitsha district – Dimbaza, Mnxesha, Zwelitsha, Ilitha Ndevana, Welcomewood, Tswele Tswele, Kalken, Athile, Gobityolo, Madakeni, Braunschweig and Frankfort; Hewu district – Sada, Emadakeni, Whittlesea North, Oxton, Oxton Manor, Embekweni, Yonda, Bushy Park,

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1. Platzky & Walker, *The Surplus People*, 38.
2. - do - , 88.
3. -do - , 280 & Interview, Andy Russell, 15 May 2007.
4. Published by the University of Cape Town in January 1983.

Zweledinga, Spring Grove, Tentergate, Rocklands, Mitford, Thornhill, Ntabethemba and Phelandaba; Victoria East district – Glenmore; Keiskammahoek district – Elukhanyweni;Peddie district – Kammaskraal, Zweledinga and Bingqala.[1] The report maintains that during the period 1970-1980 the population of Ciskei increased substantially due to resettlements.

The forced removals were cruel and inhumane, and involved a disruption of black family life that was as great a tragedy as anything that had happened previously under apartheid. In his book, *The Last Trek : A New Beginning,* the erstwhile President of South Africa, F.W.de Klerk, concedes that 'the government forcibly moved more than three million people from the land and homes where many of them had lived and worked, in some cases for generations.'[2] Most of the resettlement areas were no more than desolate, bare ground in the veld, far from the nearest town or city, with no sanitation, fuel, building sand, stores, schools or employment. Water was brought in by water carts. People were simply dumped there with a tent or shack and a short supply of food. In some of the areas typhoid epidemics broke out soon after the communities were relocated and many, especially children, died.[3] At Glenmore, for instance, soon after the resettlement 23 people – mainly children – and scores of cattle died.[4] In 1968/1969 2897 people were moved from Middelburg, Burgersdorp and Cape Town to Mnxesha, near Dimbaza and by May 1969 there were 90 graves, of which 70 were those of children.[5]

In 1968 Cosmas Desmond, author of *The Discarded People: An account of resettlement in South Africa*, and various church and political organisations exposed the tragedy of the resettlement at Limehill in Natal. Their efforts, duly aided by the British TV film, *Last grave at Dimbaza*, turned the government's on-going relocation programme into an international scandal, which led to greater caution by the government in the future and, for instance, substantial upgrading of Dimbaza.[6]

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[1] . Page 67 et seq.
[2] . *D*e Klerk, *The Last Trek,* 40.
[3] . Platzky & Walker, *The Surplus People,* 329 & Interview, Michael Kenyon, Gonubie, 5 June, 2008.
[4] . *Daily Dispatch,* 26 Jan 2008.
[5] . Father Cosmas Desmond, *The Discarded People (* Johannesburg, 1970).
[6] . Platzky & Walker, *The Surplus People,* 345.

It was in this hopeless atmosphere that Ciskei became a self-governing bantustan: an impoverished state which relied on South Africa for eighty per cent of its income and was burdened with thousands of homeless, unemployed citizens in resettlement camps. It was little more than the dumping ground for unwanted blacks and the provider of cheap labour to those areas defined as white South Africa.

The gradual march of Ciskei to legal independence is reflected in the various statutes passed by the South African parliament.

The Bantu Authorities Act, 68 of 1951, laid the foundation for the policy of eventual self-government of the various black peoples in the then Union of South Africa. It gave the Governor-General the power to establish in black areas, after consultation with the people involved, three new administrative bodies – tribal, regional and territorial authorities. A tribal authority would consist of the Chief of a tribe and as many headmen as the Governor-General decided to appoint. A regional authority would consist of two or more tribal authorities, and a territorial authority of two or more regional authorities. Territorial authorities could establish and control education institutions, roads, hospitals, clinics, farming, agriculture, forestry, and all matters in the sphere of regional administration within their respective areas.[1] According to the Minister of Native Affairs, Dr H.F.Verwoerd, the South African government intended proceeding slowly with the application of the Act.[2]

During the 1950s and 1960s a large number of tribal authorities and nine regional authorities were established in Ciskei, and on 24 March 1961, vide Proclamation 496 of 1961, the Ciskei Territorial Authority came into being. It comprised 84 chiefs and councillors from the nine regional authorities. From its ranks an Executive Council of six members was elected, which ran the territory and its people.[3]

Next came the Promotion of Bantu Self-Governing Territories Act, 46 of 1959, which made provision for the 'gradual development of self-governing Bantu national units,' and

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[1] . Els, *The Ciskei*, 134 and 209 & *Annual Survey of South African Law* (1951), 16-18.
[2] . *Annual Survey of South African Law* (1951), 19.
[3] Els, *The Ciskei*, 134 & 211- 214 & F.G.Ritchings, 'The Ciskei Constitution' in Charton ,*Ciske*i, 60 & *Annual Survey of South African Law* (1961) 58.

empowered the Governor-General to bring such territories into existence by proclamation, and to appoint Commissioners General for them.

By 1960 the 'winds of change' were blowing throughout Africa and the general move to black independence was an irresistible force. Great Britain granted independence to Basutoland (Lesotho) and Bechuanaland (Botswana) in 1966, and to Swaziland in 1968.

By Proclamation 143 of 1968 the Ciskei Territorial Authority was reconstituted with an advanced status. J.T.Mabandla, a Mfengu Chief, was elected the Chief Executive Councillor.[1]

The abovementioned statutes and proclamations were followed by the Bantu Homelands Constitution Act, 21 of 1971, the preamble whereof stated that its purpose was to make 'further provision ....for the development of Bantu nations to self-government and independence.' The Act enabled the State President to dissolve any territorial authority and to create a legislative assembly and executive council in its place. The legislative assembly had comprehensive legislative powers, save in the field of defence, international affairs, postal services, railways, harbours, civil aviation and currency.[2]

In terms of Proclamation 118 of 28 May 1971, issued in terms of Act 21 of 1971, Ciskei's territorial authority was superseded, with effect from 1 June 1971, by a Legislative Assembly, which had both legislative and executive powers, except those specifically excluded, in respect of all matters concerning the people of Ciskei.[3]

Fourteen months later, by virtue of the Ciskei Constitution Proclamation, 187 of 1972 (28 July 1972), Ciskei was declared a self-governing territory within the Republic of South Africa. In terms of the proclamation its territory comprised the districts of Mdantsane, Zwelitsha, Hewu, Herschel, Glen Grey, Victoria East, Keiskammahoek, Peddie and Middledrift, and certain areas in the Stutterheim and Queenstown districts. The districts of

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[1] . Els , *The Ciskei*, 134 & 212, & Ritchings 'The Ciskei Constitution' in Charton, *Ciskei*, 60 & *Annual Survey of South African Law* (1968), 37.
[2] . *Annual Survey of South African Law* (1971), 27.
[3] . - do - , *28.*

Herschel and Glen Grey were excised from Ciskei and transferred to Transkei in 1976. The Legislative Assembly would consist of 50 members - 30 nominated chiefs and 20 elected members – who served for five years. The cabinet comprised the Chief Minister, elected by the Assembly, and six members appointed by him[1].

The first general election was held from 19-23 February 1973. Voting followed ethnic loyalties with the Rharhabe voting for Lennox Sebe's group and the Mfengu voting for Chief Mbandla's group. The former won 13 of the elected members' seats, and the Assembly elected him Chief Minister by 26 votes to 24.[2] At the first sitting of the Legislative Assembly in April 1973, Chief Mabandla announced the formation of the Ciskei National Party (CNP), followed almost immediately by Dr Sebe announcing the formation of the Ciskei National Independence Party (CNIP).[3]

In the years that followed many opposition members crossed the floor and joined the CNIP, and by 1978 Ciskei had become a one-party state. The second general election, which took place in June 1978, was presaged by a wave of arrests and detentions of the supporters of the opposition party. Given the proclivity of people to support the existing government, and the climate of harassment and intimidation, it was not surprising that the CNIP won all the elected members' seats, with 13 opposition candidates losing their deposits.[4]

Both the 1973 and 1978 elections were tainted by corrupt practices. After the 1973 election the opposition lodged with the Supreme Court, Grahamstown, an application to have the result set aside, and after the 1978 election there were allegations that promises of houses and other monetary benefits had been made to voters who supported Sebe. Some voters complained that they had been instructed that they would have to show their ballot paper to the polling officer before placing it in the ballot box.[5]

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[1] *Annual Survey of South African Law* (1972), 26 & Charton , *Ciskei*, 61.
[2]. Charton, *Ciske*i, 79.
[3] . - do - , 131.
[4] . - do - , 145.
[5]. Rogers, *Divide and Rule*, (London, 1980), 77.

The period 1971 to 1981 saw a strong increase in popular identification with the Ciskei homeland.[1] For two centuries the people of the territory now known as Ciskei had yearned to be free from firstly the yoke of the British, then the Cape Colonial government, then the Union of South Africa, and finally from the Republic of South Africa. When Dr Verwoerd accentuated the policy of separate development, an independent Ciskei seemed achievable. This possibility caused great excitement amongst its people.

In 1978 Chief Minister Lennox Sebe appointed a commission of enquiry under the chairmanship of Professor G.Quail to consider the feasibility of Ciskeian independence. In its report, dated 11 February 1980, the commission ruled out independence, unless the land and citizenship issues were resolved and the majority of Ciskei's voters, including those living outside the territory, voted affirmatively for independence in a referendum.[2]

A referendum was duly held on 4 December 1980 in which 59.5 per cent of the registered voters cast their votes. There were 295 891 votes (99.5 per cent of those who voted) in favour of independence and 1642 against. The result of the referendum seems to indicate a change in the attitude in Ciskeians since a socio-political survey was undertaken in Mdantsane during 1976, in which 45 per cent of the respondents opted for a united South Africa, against 28 per cent who preferred a homeland system. 25 per cent of the participants in the latter survey did not commit themselves on the issue.[3]

It is not surprising that there was such a low turn-out of voters at the 1980 referendum as those Ciskeians who were employed in the white areas would certainly not have been in favour of the new dispensation. Possible independence must have increased their fear of being returned to Ciskei, and have motivated their non-participation.

After the referendum negotiations were commenced with the South African government to grant Ciskei total independence. This it did in terms of the Status of Ciskei Act, 110 of 1981, which came into force on 4 December 1981. Section 1 of the Act read as follows:

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[1] . Ciskei Department of Foreign Affairs, *Ciskei at Independence,* 43 & *The Republic of Ciskei: a Nation in Transition,* (Bhisho, 1980), 16.
[2] . Crause, *The Ciskei,* 44.
[3] . Charton, *Ciskei,* 162.

> 1(1) The territory known as Ciskei, comprising the districts mentioned in Schedule A (Keiskammahoek, Mdantsane, Middledrift, Peddie, Hewu (Whittlesea), Victoria East (Alice), and Zwelitsha) is hereby declared to be a sovereign and independent state and shall cease to be part of the Republic of South Africa.
>
> (2) The Republic of South Africa shall cease to exercise any authority over the said territory.

Ciskei was to be governed by a National Assembly consisting of the President, the Paramount Chief, various hereditary chiefs, 22 elected members and five members elected by the President. The cabinet comprised the President, the Vice President and eleven ministers appointed by the President.[1]

Formal transfer of authority would take place on 4 December 1981, on which day Ciskei would once again receive the full political and constitutional rights it had been deprived of for so many years.[2]

As the great day, 4 December 1981, drew near excitement in Ciskei grew. On the day a huge crowd gathered in Bhisho Stadium for the ceremonial lowering of the South African flag and the raising of the blue and white flag of Ciskei. The State President of South Africa, Marais Viljoen, Chief Minister of Ciskei, Lennox Sebe, the South African Minister of Foreign Affairs, Pik Botha, and other dignitaries were present.

The South African flag was lowered and everyone waited animatedly for the Ciskeian flag to be raised to the top of the flagpole. As it started its upward journey, heaven forbid, the flagpole fell over! Twice more the soldier attempted to raise the flag; twice more the flagpole fell over! Only at the fourth attempt, after the flagpole had been secured by South African soldiers, did the flag reach its rightful position at the top of the pole. There were whispers that the inept Ciskei Defence Force soldier, who could not

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[1] . Ciskei Department of Foreign Affairs, *Ciskei at Independence,* 52.
[2] . Stiff, *Warfare, 1*28 & *Annual Survey of South African Law* (1981), 27.

raise the flag, had celebrated prematurely! Whether or not he was in his cups, he was summarily dismissed from the CDF.[1]

Prophets of doom were quick to predict that the fall of the flagpole and the failure to raise the flag at the first attempt did not augur well for the future of Ciskei. Some even suggested that the inauguration ceremony be postponed. It was not and their predictions were, alas, to be proved correct. The independent Republic of Ciskei experienced a tortuous existence from 1981 to 1994. In the beginning it was ruled by an autocratic despot, Lennox Sebe. His rule was followed by that of another, this time inept, dictator, Oupa Gqozo, during whose reign many tumultuous events such as the murder of Charles Sebe and the Bhisho Massacre occurred.

In 1981 the members of the National Assembly elected Lennox Sebe the first President of the Republic of Ciskei. Two years later they installed him as President-for-life, a decision they grew to regret when he in time became an autocratic, corrupt and nepotistic dictator, who ruled with an iron fist. He remained in power until overthrown on 4 March 1990 by an army coup d'état led by Brigadier Oupa Gqozo. The latter's reign lasted until he resigned as head of state on 22 March 1994, whereupon the government was placed in the hands of two transitional administrators pending the reincorporation of Ciskei into South Africa on 27 April 1994.

The political freedom of the Republic of Ciskei came at great cost to its citizens. From its birth it was burdened with many almost insurmountable problems: it was the dumping ground for many unwanted and unemployed Xhosa in South Africa; it was desperately short of finances and it had few industries and businesses to provide employment for its people.

[1] . *Daily Dispatch*, 5 March 1990 & 26 July 1994.

CHAPTER 1.3

THE CATALYST FOR A COUP D'ÉTAT : LENNOX SEBE : 1973 TO 1990.

The author Christopher Hope, who grew up next door to Dr Hendrik Verwoerd, once wrote: 'Tyrants are pneumatic, they puff up like giant dirigibles, they inflate and grow bigger until they loom over the land like horrible Hindenburgs' and, by implication, 'then self-destruct and disappear!'[1]

This description of a tyrant fits perfectly the reign of Lennox Sebe. He reigned from 1973 to 4 March 1990, by which time his inflated ego had led him to believe that he was above the law, impervious to restraint, and could with impunity ride roughshod over and ruin the lives of individuals. He was then, like the Hindenberg, ripe for destruction by the military coup that terminated his regime.

Lennox Leslie Wongama Sebe was born on 26 July 1926. He was a Tshawe of the royal family clan of the Rharhabe, but not of the reigning house.[2] On completion of his secondary education at Lovedale High School, he proceeded to Lovedale College, where he read for a diploma in teaching. At college he was elected head prefect and in 1950 awarded the Dux Ludorum medal. He also captained the first rugby and cricket teams.

After teaching for spells at King William's Town, Burnshill, Olivedale and Flagstaff, he was promoted to the post of Assistant Inspector of Schools for the King William's Town area.

He entered politics officially in 1968 and was elected by the Ntinde tribe as their representative in the reconstituted Ciskei Territorial Authority. Before the end of the session he was elected to the executive council and given the portfolio of Education and Culture. When the cabinet was reshuffled in November 1971, he took over the portfolio of Agriculture. In 1973 he was elected a member of the Ciskei Legislative Assembly for the Zwelitsha constituency, and on 21 May 1973 became the second Chief Minister of Ciskei. In 1981 he was elected President of Ciskei and two years later President-for-life.[3]

In 1976 Lennox Sebe was installed Chief of the Khambashe, a junior house of the

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[1] . *Sunday Times Lifestyle*, 7 Jan 2007.
[2] . Charton, *Ciskei, 124.*
[3] . Ciskei Department of Foreign Affairs, *Ciskei at Independence*, 162.

Gqunukwebe, and in 1979 he was awarded an honorary doctorate in law by the University of Fort Hare.[1]

Soon after becoming President of Ciskei Sebe revealed his despotic tendencies. He took three steps to secure his position of power. The first was to pass the National Security Act, 1982, which enabled him to arrest and incarcerate anyone without a warrant or trial. The second was to establish the Ciskei Central Investigation Service (CCIS), and the third to create the Elite Unit in the Police Force,[2] both establishments falling under his direct control. The CCIS had its agents everywhere; if anything occurred in the townships e.g. if a meeting was held, Sebe would be informed thereof by the next morning. The CCIS would detect any opposition to his rule, which would in turn be suppressed by the Elite Unit. Anyone who opposed Sebe was summarily arrested and incarcerated, without trial, under the security regulations. [3]

One of the first occasions on which Lennox Sebe used the security regulations for personal and irregular purposes occurred when a lawyer, Eric Ntonga, in the early 1980's upset him by defending in the Magistrate's Court, Mdantsane, certain persons charged with public violence. When Sebe had Ntonga arrested and detained, Gerrie Kruger, a seconded official from the South African Bureau for State Security, was so upset about this misuse of the security regulations and the injustice done to Ntonga, that he discussed the matter with Charles Sebe, Harvey Tamsanqa, and Zebelon Makuzeni of the Ciskei Central Intelligence Service. That evening Makuzeni was called to the President's home and chided for agreeing with Kruger.[4]

Sipho Macdonald Tanana is a respected businessman in Mdantsane. He has at various times been head of Local Government in the Ciskei Department of Internal Affairs, the secretary of the CNIP, the chairman of the Border Branch and the national president of the National African Federated Chamber of Commerce and Industry, the general secretary and treasurer of the South Africa African Rugby Board, and a Public

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[1]. Ciskei Department of Foreign Affairs, *Ciskei at Independence*, 162 & Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.
[2] . The Elite Unit Act, 1986.
[3] . Interviews, East London, Gen. Z.Makuzeni, 18 Jan 2007, C.L.Attwell, 3 July 2007, & Sipho Tanana, 27 Sep 2007.
[4] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.

Relations Officer for United Tobacco Company and Distillers Corporation. Despite this illustrious background, Tanana was on four occasions during the rule of Sebe arrested and detained, without warrant or trial, for periods up to three months at a time. Till today he does not know the reason for his detention. He can only assume that Sebe was wary of him because he openly opposed independence for Ciskei and propagated it being part of a unified South Africa. Another possible reason was that his name appeared on certain lists of the ANC.[1]

Sebe maintained political power by banning or suppressing all opposition parties, including the ANC, PAC, SACP and UDF, and by imprisoning their officials and members. Mluleki George, at that time a member of the ANC Executive Committee and the President of the UDF, was detained 'more than 30 times' by Sebe.[2] By the end of Sebe's rule Ciskei was a one-party state; the only active party being his own Ciskei National Independence Party (CNIP). Anyone who wished to start an opposition party, or to stand in an election as an independent candidate, was summarily arrested and detained. Sebe chose all the candidates for elections. When a Mr Mkrola, one of his previous ministers, indicated that he would stand as an independent candidate in Whittlesea, he was arrested under the security laws. The same happened to another would-be candidate, Diliza Kunjuzwa, in an election at Keiskammahoek.[3]

On 2 June 1986 Chief Lent Maqoma, an erstwhile cabinet minister who had fled the country in 1985 after a disagreement with Sebe, announced the formation of a new opposition party, the Ciskei People's Rights Protection Party (CPRPP), which would paticipate in the forthcoming election on 19 November 1986. The party was, however, due to the actions of Sebe, to all intents and purposes still-born. He enacted the Electoral Amendment Act, 1986, which not only increased deposits for candidates from a reasonable R300 to a punitive R10 000, but also laid down that any new political party that intended contesting the election had to obtain the signatures of 10 000 people who supported its intention to do so. It was an impossible task for Maqoma to obtain the prescribed 10 000 signatures, and it was not surprising that at the election only

[1] . Interview, Sipho M.Tanana, East London, 27 Sep 2007.
[2] . Interview, Mluleki George, King William's Town, 25 March 2008.
[3] . Interview, Gen.Z. Makuzeni, East London, 18 Jan 2007.

members of Sebe's CNIP were elected.[1]

Ben Nomoyi and his wife, Caroline Nomoyi, the daughter of Chief Lent Maqoma, owned a business empire in Mdantsane. They had taken loans to start and run a dry cleaning factory, super market and butchery. Because Ben and Caroline supported her father, and the opposition party (CPRPP) he had commenced, Ben came under pressure from Sebe and he too had to flee to Transkei. Not satisfied with this denigration of the Nomoyi's, Sebe called in the manager of the Ciskei Peoples Development Bank and compelled him to foreclose all the Nomoyi's business loans and to 'strangle them' financially. The dry cleaning factory was burnt down and all the businesses had to close. As if that were not enough punishment, Caroline was then arrested and tortured.[2]

Sebe's control of the members of the cabinet and the National Assembly was absolute. He would commence cabinet meetings by speaking for an hour, relating to the members both the problem and the solution. No minister dared disagree with his decision, let alone debate the issue with him. They were compelled to simply accept what he said and to act accordingly. Failure to do so would result in dismissal from both the party and the Assembly [3]

A cause of considerable dissatisfaction among cabinet ministers and directors-general was the autocratic and egocentric habit the President had of calling and cancelling cabinet meetings at will. After having been called at 10:00 to attend an urgent cabinet meeting at 11:00, its members would drop whatever they were doing and hasten to the cabinet room at Bhisho, only to sit around there until 16:00 and then be told that the meeting had been cancelled as the President had other appointments.[4]

Sebe controlled the National Assembly in similar fashion. At the caucus meeting before a session he would tell the members how they would vote and if any member stepped out of line he would be dismissed from the party and subsequently lose his seat. Both cabinet and National Assembly members were simply rubber stamps to his will.[5]

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[1] . Stiff, *Warfare*, 211 & Electoral Amendment Act,1986.
[2] . Evidence at the TRC & *Daily Dispatch*, 6 & 8 Sep 1995
[3] . Interview, C.L.Attwell. East London, 3 July 2007.
[4] . -do -
[5] . Interviews, East London, C.L.Attwell, 3 July 2007, & D.J.Michau, 10 July 2007.

Sebe also interfered with the administrative affairs of the various departments. One of the duties of Brigadier Charl Naude of the Ciskei Police Force was to inspect police stations and their personnel. When visiting rural areas he would on occasions find that a new police station had, without his knowledge, been built. On making enquiries he would be told that a Chief had approached Sebe for a new police station and that the latter had instructed that the station be built. On other inspections he would find a new incumbent at a police station. It would once again transpire that he was there on the instructions of the President.[1]

Examples of senior Ciskei government members and officials who were arrested and detained for having the temerity to disagree with the President included W.M.Zantsi, the Secretary-General of the CNIP; E.S.Ntlabati, the Director-General of Education; L.M.Fani, the Traditional Councillor of Chief Lent Maqoma; S.Lucas and K.Myoyo, Director and Deputy Director, Finance; L.F.Siyo, a former cabinet minister; L.M.Yako, the Deputy Chief Whip; Professor C.H.J.Lalendle, Rector of the Lennox Sebe Training College; Ms N.Goya, the MP for Zwelitsha; and H.M.Mdleleni, the Director-General of Health. In virtually all these cases the offender was released after a week or two in detention. It seems that the period of detention, however short, was meant to impress on the detainee that Sebe was the boss and that he would brook no opposition or interference. He was clearly the quintessence of a tyrant and dictator.[2]

Like a true despot, Sebe took a strong stand against trade unions. He banned all unions and attacked unionists who attempted to operate in Ciskei. Consequently the interests of the workers suffered and they became a disgruntled and underpaid work force.[3]

When it came to finances, Sebe, as in all other matters, equated himself to the State of Ciskei. He apparently believed that he could spend the state's money with impunity for whatever purpose he pleased, including his own personal requirements. An example of such lavish and unnecessary spending was the twenty five million rand spent on constructing the Bulembu Airport near Bhisho, from which no international flight

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[1]. Interview, Brigadier C.Naude, East London, 19 June 2007.
[2] . Stiff, *Warfare*, 146.
[3] .*Daily Dispatch*, 5 March 1990.

ever departed or arrived. Despite opposition from all quarters, Sebe insisted that the project go ahead. When the South African Minister of Foreign Affairs, Pik Botha, complained that neither South Africa, nor Ciskei could afford the expenditure on such an extravagant project, Sebe replied: 'The capital (Bhisho) of an independent sovereign state must have an international airport.'[1]

On 16 June 1981 the Minister of Agriculture, Rev.W.M.Xaba, recommended, and the cabinet approved, that 'in recognition of the great services rendered to Ciskei by the Chief Minister, the Honourable Dr L.L.Sebe, the farm Two Rivers, and some adjoining lands, be made over permanently to him and that the necessary development required be undertaken by the respective government departments at the earliest opportunity.'[2] Government Notice 52 of 1987 (Ciskei) validated the expenditure of funds of the Ciskei Revenue Fund from 1 August 1972 to 4 August 1987 on, inter alia, any farm or other place owned by the Head of State (Lennox Sebe).

Evidence given before the Jardine Commission of Enquiry (1990) was that President Sebe had established the Community Services Trust Account in 1985, ostensibly to receive donations to improve the lives of needy Ciskeians. The true purpose, however, was to enable him to lay his hands on money paid to the trust by both the public and the government. Many amounts, on occasions as high as R250 000, were paid to the trust by the Department of the President, and then used by Sebe for security purposes or for his own private household expenses. This privilege of spending the state's money at will seems also to have extended to the President's half-brother and to his son, General Charles Sebe and Lieutenant Colonel Kwane Sebe. As head of the CCIS, Charles spent lavishly. So too did Kwane's Elite Unit in the Ciskei Police Force receive vast sums from the Presidency – on one occssion R250 000 – without its books ever being audited.[3]

On 25 August 1986 a law firm in Butterworth, the Sangoni Partnership, wrote to the Speaker of the National Assembly drawing his attention to the President's misuse of public monies and requesting that this be brought to the attention of the House.

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[1] . *Daily Dispatch* , 26,7,94 & Interviews, C.L.Attwell, E.L., 3.7.07 & Pik Botha, Pretoria, 27.12.07.
[2] . Interview, Advocate A.Theron, East London, 6 Dec 2007 & Cabinet Resolution 144/1981.
[3] .*Daily Dispatch,* 7, 17 & 27 July 1990.

Needless to say, nothing ever came of the complaint[1].

Despite having been a purposeful and dominant leader in his own right, Lennox Sebe had a penchant for having in his government one or more persons with similar autocratic leanings. The favoured henchmen were afforded unlimited powers of governance. In the early years of his reign there were his half-brother, Charles, and his son, Kwane, who were both afforded great power. Charles Sebe was promoted from the rank of Colonel to that of General within a year. He was a flamboyant character who always dressed well, had numerous motor cars and a bullet-proof door to his office. As head of the Central Ciskei Intelligence Service he was not only in command of the burgeoning intelligence service, but also of Ciskei's prisons, police force and army. He wielded great power and many believed that he, and not Lennox, was running the country. Even the senior members of the Cabinet were wary of him.[2] In *Move Your Shadow* the author describes him as follows:[3]

> He (Charles) had consolidated whatever power there was to be had in Ciskei – nothing moved, no appointments were made without his approval – and he was playing the role he liked best. And if South Africans had been forced to choose between the two Sebes, it seems unlikely that they would have gone for the woozy and wobbly elder brother (Lennox) when they had found in the General (Charles) an almost perfect instrument of control.

Kwane Sebe was given similar powers in his sphere of control as head of the Elite Unit in the Ciskei Police Force. When Charles over-stepped the mark and was incarcerated, as is described in the following paragraph, the new strong man became Chief D.M.Jongilanga, the Minister of Education and later of Works and Energy. Once again, all and sundry lived in fear of him.[4]

Sebe's arrogant and dictatorial attitude was reflected not only in his treatment of official matters, but also in his relationship with his own family, whom he did not hesitate to arrest and imprison. When, during 1983, Charles, who was then head of the CCIS, sought more power, Lennox moved against him. With a view to deflating

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[1] . Stiff, *Warfare*, 208.
[2] . Interview, Brigadier A.Theunissen, East London, 14 June 2008.
[3] . J.Leyleveld, *Move Your Shadow (*London, 1987), 175.
[4] . Interviews, East London, Clyde Attwell, 3 July 2007 & Brig. A.R.Theunissen, 14 June 2008.

Charles he disbanded the CCIS and arrested its second-in-command, Brigadier Harvey Tamsanqa, who was a personal friend of Charles. The allegation was that Tamsanqa had attacked Minister Pityi at his home. Soon thereafter, on hearing that Charles and others were planning to release Tamsanqa from prison, Lennox arrested Charles and charged him with treason. He was sentenced to 12 years in prison.[1] At about the same time Lennox moved against another half-brother, Namba Sebe, the former Minister of Transport, and had him charged with theft, fraud and corruption. When he was sentenced to 8 years imprisonment, he fled to Mthatha. Namba's sons were also charged. It appears that no one was sacrosanct to the tyrant Lennox Sebe.[2]

One of the first, and worst upheavals in Sebe's rule was the Mdantsane bus boycott. On 20 June 1983 the partly government-owned Ciskei Transport Corporation announced a ten per cent increase from 13 June 1983 in its bus fares between East London and Mdantsane. The proposed increase led to the commuters deciding at a mass meeting in Mdantsane on 11 July to boycott the buses. A great deal of violence, on both sides, followed. During the first fortnight of the boycott 49 buses were stoned, damaging the buses and injuring the drivers. By 19 July bus occupation was down by eighty per cent. Sebe used the Ciskei Defence Force, Police Force and vigilantes in his attempts to stop the boycott. Commuters were pulled off trains, taxis and even private transport by soldiers, policemen and vigilantes. Some were sjamboked, detained, and even tortured at Sisa Dukashe Stadium in Mdantsane.

The crackdown became progressively more vicious and on 25 July 1983 the security police shot and wounded five people at Fort Jackson railway station. On 3 August a state of emergency was declared over the Mdantsane area, and on 4 August, in what is commonly known as the Egerton station massacre, two commuters were shot dead. Similar violence occurred at all three railway stations in Mdantsane - Fort Jackson, Mount Ruth and Egerton. On 7 August two further commuters were shot dead by the police and by the end of the month 1000 people had been detained. Ten schools buildings were damaged in arson attacks and 1000 pupils boycotted their classes. The

[1] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.
[2] . *Daily Dispatch*, 5 March 1990.

boycott lasted for six months till 13 March 1984.[1]

Although the main subject of this thesis is not Lennox Sebe, any reference to him will be incomplete without mention of Operation Katzen.[2]

After the UDF in 1986 called for South Africa to be made ungovernable, the black townships in the Eastern Cape, and to a lesser extent those in Ciskei and Transkei, became scenes of anarchy, burning and depravity. Homes and beer halls were burnt, political killings were rife, black councillors were murdered, consumer boycotts were enforced by violent means, and service dues were not paid.

The South African Minister of Defence, General Magnus Malan, informed Brigadier Joffel van der Westhuizen, the head of the Eastern Cape Command of the SADF, in no uncertain terms, that unless he stabilised the situation in the area he would be relieved of his post. With a view to quelling the unrest van der Westhuizen issued the operational instruction 'Katzen'- an anagram of 'Kat,' from the name of General Kat Liebenberg, the Chief of the South African Army, and 'zen' from van der Westhuizen. It envisaged in broad outline the amalgamation of Ciskei and Transkei into a single pro-South Africa Xhosa state. To attain this objective Charles Sebe, his son (Khambashe), Namba Sebe's son (Kholi), Namba'a brothers son (Toni) and Major Ntobeko Mlolana would be sprung from the Middledrift Prison; a resistance movement to the Ciskei government (Iliso Lomzi) would be established and led by Charles; Lennox Sebe would be eliminated; Chief Lent Maqoma would be installed the head of the new state and Commandant O.J.Gqozo would become the head of its army.

On 23 July 1986 Lennox's exiled half-brother in Mthatha, Namba Sebe, publicly announced the formation of Iliso Lomzi - 'the eyes of the nation' - to counter 'atrocities' by the Ciskei government. Leaflets announcing the formation of the resistance movement and encouraging citizens of Ciskei to join its ranks were dropped from aeroplanes over numerous parts of Ciskei. In addition about twenty to thirty members of Iliso Lomzi commenced training in subversive activities under instructors of the

[1] . *Daily Dispatch*, 19 July 1983 to 14 March 1984.
[2] . All references to Operation Katzen, its implementation and results are derived from interviews at East London with Gen. Z.Makuzeni on 18 Jan 2007 and Brig.A.R.Theunissen on 14 June 2008, & Stiff, *Warfare,* 194 -210.

Transkei Defence Force at Port St Johns.

The task of releasing Charles Sebe from Middledrift Prison was allotted to the Special Forces Division of the South African Defence Force. Photographs and plans of the prison were obtained, the cells of Charles and the other prisoners were pin pointed, and a duplicate key to Charles'cell was obtained.

Thursday 25 September 1986 was chosen as the day on which Charles and the others would be sprung from prison. As security forces in Ciskei, including prison warders, would be paid their monthly salaries on that day, they would have lowered their guard, or even be intoxicated by nightfall. At 22:00 on that night three members of the South African Recce Scouts, three Selous Scouts (ex-Rhodesian soldiers then employed by Transkei) and a black man, armed with AK 47's and sub-machine guns, entered Middledrift Prison. Aluminum ladders of the exact height were used to scale the outside walls, from where the attackers descended by rope ladders into the yard of the prison. They quickly overcame the little resistance offered by the warders, some of whom were drunk, and then, using the duplicate key, released Charles from his cell. When the guards saw that the attackers were white they threw down their weapons and fled. Some shooting took place, but it is not known by whom. There were no casualties. Only Charles could be released as the information gained from the intelligence service concerning the cells of the other prisoners was inaccurate.

On the same night Lennox Sebe's son, Kwane Sebe, by now a Major General, and his deputy in the Elite Unit, Colonel Ngwanya, were lured by members of the SADF to the Holiday Inn, East London. Once there, they were handcuffed and abducted to Mthatha, where they were incarcerated in Wellington Prison.

Namba Sebe publicly claimed credit for Iliso Lomzi for the jailbreak and abductions. He said that it was part of the strategy to unseat Lennox Sebe, and that Kwane and Ngwanya would be released if Lennox and his government resigned. He added that Charles Sebe would become the leader of Iliso Lomzi and that he would strive to overthrow Lennox Sebe.

Once again leaflets, this time stating that Charles was free, were dropped on Ciskei.

They added that Lennox Sebe was a corrupt dictator and that he had 'accepted a R250 000 bribe from the contractor who built the Bulembu airport; suppressed an investigation into his embezzlement of funds; given instructions for the killing of people during the bus boycott, and caused civil servants not to receive their bonuses.'

The President, who was shattered by the abduction of his son, Kwane, now exhibited the typical fury of an upstaged dictator. He appointed a judicial commission of enquiry to investigate the escape from Middledrift Prison and accused the warders and police of having been drunk on the night in question. The Commanding Officer of the prison was arrested and detained, as was the Head of Security in Ciskei, General Zebelon Makuzeni, who was then a Major General. The latter tells that he was arrested, without a warrant or trial, and incarcerated in Mdantsane Prison for 42 days. He was never told the reason for his arrest, nor for his release, and he can only surmise that he was thought to have been involved in the freeing of Charles, which was not the case. After he was released from prison, Sebe demoted him to the rank of Colonel.

Later Sebe also arrested his own brother-in-law, Chief Simon Hebe; his half-sister, Mrs Namhla Hebe; the Commissioner of Police, General Edwin Kutta; the latter's second-in-command, General Zozi; Chief Lent Maqoma's two daughters; a girl friend of Charles Sebe, Lungi Msuthawana, and a professional nurse and her sister, who worked in the Post Office at Bhisho, all on suspicion of having been implicated in the release of Charles.[1]

Brigadier A.R.Theunissen, a member of the Ciskei Police Force at the time, adds an interesting postscipt to the saga of the abduction of Kwane Sebe. Theunissen was a member of the Rhodesian Police Force before he joined the Ciskei Defence Force in 1982. He was then transferred to the Ciskei Police Force, where he was promoted to the rank of Brigadier. During October 1986 he accompanied attorney Piet Oosthuysen and an advocate from Johannesburg to Mthatha, where they were to bring a habeas corpus application in the Supreme Court to force the Transkei government to bring Kwane from Wellington Prison, where he was being detained, to the court so that it could consider whether he was being held unlawfully and should be released. Theunissen was instructed that once Kwane arrived

[1] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.

at court, he was to force him into his vehicle and to dash to the South African Embassy in Mthatha. Theunissen, who realised that those in charge of Kwane would not hesitate to shoot both Kwane and his driver, was both sceptical and alarmed at what he was expected to do. He gave a sigh of relief when the application failed and Kwane was not brought to court.[1] Kwane was eventually released and returned to Ciskei on 30 December 1986 as part of a prisoner-exchange agreement between the two countries. On that day Kwane and his deputy, Colonel Ngwanya, were brought from Mthatha to the bridge over the Kei River, where they were exchanged for Kkambashe, Toni and Koli Sebe from Ciskei.[2]

The time had now come for activating the fourth leg of Operation Katzen - the elimination of Lennox Sebe; something the Transkeians may have relished as Lennox had throughout his reign been at loggerheads with them. Six months after Ciskei's independence he stated that Butterworth in Transkei was a 'haven for terrorists,' and after Charles Sebe had been sprung from gaol, he closed the border between Ciskei and Transkei.

On 18 February 1987 Chief Lent Maqoma booked into a hotel in East London, where he would await the killing of Sebe and his taking over the government of Ciskei. On the same day a force of twenty two men comprising Selous Scouts, members of Iliso Lomzi and operators from the Special Forces Unit of the Transkei Defence Force, under the command of Major-General Reid-Daly, an ex-Rhodesian, left Mthatha to attack and capture or kill Sebe in Bhisho. Although the party was well equipped and armed, the planning of the operation left much to be desired. Despite the vehicles that were used in the operation having been over-sprayed a khaki colour, they were still easily recognisable as TDF vehicles. A log book showing that one of the vehicles had been booked out of the TDF's Special Forces Base, Port St Johns, that very morning, was left in the glove compartment of the vehicle! The false number plates used were attached to the original TDF number plates on the vehicles, and the raiders carried their TDF identity documents on their person. They obviously expected the whole operation to be a walkover. However, a surprise awaited them. As Sebe had been

[1] . Interview Brig.A.R.Theunissen, 14 June 2008.
[2] . Stiff, *Warfare*, 221.

informed that an attack would be mounted from Transkei, duly assisted by the SADF, he had the guards at his palace reinforced and placed on high alert.

When the raiding party attacked the palace at 1:45 on 27 February 1987 it ran into blistering fire from the guards and cross-fire from two machine guns. After a fierce ten-minute firefight, the attackers fled in disorder, leaving behind their vehicles, a light machine gun, two R5 rifles, camouflage uniforms and ration packs. Soon after the attack Brigadier Theunissen arrived on the scene. When a search was conducted in the long grass near where the attack had occurred, two Transkei soldiers were found. Transkei Rifleman Mbuyiselo Nondela had died of his wounds, but Rifleman A.Ndulu was still alive. He was assaulted and shot, but eventually survived. As two Transkei helicopters were circling overhead, two helicopters of the CDF, with Theunissen a passenger in one, took to the air in an attempt to ascertain where the fleeing Transkeian troops would rendezvous. They determined that this would occur next to the King William's Town/East London road, near Breidbach. When Theunissen's helicopter approached the rendezvous point, where the Transkeian helicopters were loading their troops, it was fired on by one of the helicopters from Transkei. The latter then moved away towards East London. The irony of this latter encounter was that all the opposing helicopters were being flown by ex-Rhodesians.[1]

And so Operation Katzen came to an ignominious end. It must be stressed that Brigadier Oupa Gqozo played no part in this diabolical operation and that he was merely, without his knowledge, considered a fitting incumbent for the post of chief of the army of the future amalgamated Xhosa state.

In fairness to Lennox Sebe, it must be said that his rule was not all doom and gloom. Apart from having to contend with the constant fear of his dictatorship, the average citizen, especially in the rural areas, lived a peaceful and organised existence. Today many state that life was far more settled and peaceful under Sebe than under Gqozo.

Sebe must also be attributed with certain acts which were beneficial to his country and its people. He attracted investors, mainly from Asia and the Far East, to establish

[1] . Interview, Brig.A.R.Theunissen, 14 June 2008 & Stiff, *Warfare*, 231.

factories and other industries in Mdantsane, Fort Jackson, Zwelitsha and Dimbaza, which created employment opportunities for his people, albeit at low wages and in poor working conditions. He also did a great deal to propagate rural development. He improved roads, provided tractors and extension officers, and generally encouraged agricultural activities. He established irrigation schemes at Keiskammahoek, Whittlesea, Tyefu (near Peddie) and in the Fish River area, and he was the driving force behind the establishment of the Christian radio station in Bhisho – TBN (Trinity Bible Network) [1]

Lastly, in the realms of Sebe's good deeds must be mentioned his efforts to restore national pride. Whether this was done to enhance his own standing as a 'chief' of his people, or as a genuine act of patriotism, is not clear. To this end he built the Ntaba kaNdoda national monument in the Amathole Mountains. He also had the remains of Chief Maqoma brought on a South African naval frigate from Robben Island to East London, and then re-interred with much pomp and ceremony at the foot of the Ntaba kaNdoda monumemt. Chief Maqoma, who died and was buried on Robben Island in the nineteenth century, after having been unjustly incarcerated there by the British, is still today revered by the Xhosa as having been an exceptional warrior and orator, unrivalled in the history of his people.[2]

By 1989 the opposition to Sebe's regime had reached fever pitch. This was due not only to the actions of Lennox and his government, but also the increased attacks on the citizens of Ciskei by the United Democratic Front and the African National Congress. During the year there were bombings in Bhisho, Bulembu, Frankfort, Keiskammahoek, Zwelitsha, Mdantsane, and an attack on the Potsdam Police Station.[3]

Trouble also flared when in 1988 East Peelton, which included the village of Nkqonkqweni, from which Steve Tshwete, who later became the South African Minister of Safety and Security, hailed, was incorporated into Ciskei against the wishes of the inhabitants. During the first year of its incorporation the people living in the area

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[1] . *Daily Dispatch*, 26 July 1994 & Interviews S.Tanana, East London, 27 Sep 2007 & D.Steyn, Gulu, 4 Dec 2007.
[2] . Stiff, *Warfare*, 196.
[3] . - do - , 443.

were harassed by the Ciskei administration and many were assaulted and detained on false charges of erecting illegal structures.

On 16 October 1989 a state of emergency was declared over, inter alia, East Peelton. The next day the police, assisted by the army, forcibly moved the residents of Nkqonkqweni across the border into South Africa. The latter state objected and the South African Police returned to Ciskei all those who had been moved. During these upheavals 100 people were arrested and many assaulted, 55 being hospitalised. Half the homes in Nkqonkqweni were bulldozed. The grave situation was exacerbated by Sebe using vigilantes, whom he had brought from East London to a farm near King William's Town, to attack the inhabitants at night.[1]

Eventually many of the residents of East Peelton fled to King William's Town, which move compelled the South African Minister of Foreign Affairs, Pik Botha, to negotiate with Sebe on their behalf.[2]

In November 1989 25000 residents of Thornhill in Ciskei marched through the streets of the nearby town of Queenstown and demanded the return of their South African citizenship. They complained that their pensions in Ciskei were not only considerably less than those in South Africa, but also that taxes, levies and compulsory membership fees to Sebe's CNIP were being deducted from their pensions. During the following month a similar march took place to the offices of the Department of Home Affairs in Queenstown.[3]

In January 1990 a defiance campaign started in Peddie and soon spread to Chalumna, Hamburg, Kambashe, Bhisho, Alice, Keiskammahoek and, in short, throughout most of Ciskei. The reason for this widespread resentment and rebellion was that before a member of the public could be served by a government department, a card had to be produced which reflected his/her identification, Ciskei citizenship and membership of the CNIP. If any of these qualifications were missing the applicant was turned away. To show their opposition to this preferential treatment of the government's political

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[1] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.
[2] . - do - & Pik Botha, Pretoria, 27 Dec 2007 & Stiff, *Warfare*,,443.
[3] . - do - & Stiff, *Warfare*, 443.

followers, the public began burning the CNIP cards and also handing them in at tribal or headmen's offices. Another cause for dissatisfaction was that political parties and civic organisations could not operate freely. At Chalumna and Kambashe the CNIP members of the National Assembly were called upon to resign.[1]

When Nelson Mandela was released from prison on 12 February 1990 there was a great celebration in Mdantsane and no serious incidents occurred.[2]

Heroes Day, 19 February 1990, was marked by widespread rioting and unrest. Residents of Peddie refused to be bussed to the national shrine of Ntaba kaNdoda, where they were to be addressed by President Sebe. Instead they en masse handed in their CNIP cards. The police retaliated with sjamboks, killing one person and injuring several others.[3]

On 29 February priests led 15000 residents on a march through Keiskammahoek demanding an end to Ciskei's independence. The Security Forces broke up the demonstration with sjamboks and tear gas. Priests later reported that two children had died from inhaling tear gas and that eighteen people had been injured.

When Sebe sent the army into the rural areas to quell the various riots, the soldiers objected at having to act against their own kith and kin. This dissatisfaction was virtually the last straw that led to the coup d'état by the army.

Towards the end of his rule Sebe appeared to become bipolar as he often not only expressed, almost simultaneously, contradictory and inconsistent ideas, but also gave contradictory orders concerning his ideas. An example of his vacillating instructions is given by Clyde Attwell, who was then the Director General of Works. One evening Attwell and an expert discussed with Sebe the unfeasibility of the Bulembu Airport project. Sebe agreed that the project was not viable and ordered that it be cancelled. The next morning, however, he telephoned Attwell and instructed him to commence building the airport as soon as possible.[4]

After the coup d'état Sebe was allowed back into Ciskei. He spent his last days in

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[1] . Interview, Gen.Z.Makuzeni, East London, 18 Jan 2007 & Stiff, *Warfare,* 444.
[2] . Interview,Gen. Z.Makuzeni, East London, 18 Jan 2007.
[3] . -do-
[4] . Interview, C.L.Attwell, East London, 3 July 2007.

seclusion on his farm in the Komga district and on 24 July 1994, two days before his sixty-eighth birthday, he died after delivering a eulogy at a funeral at Keiskammahoek.[1] On the way to the funeral he stopped at the Ntaba kaNdoda monument and his distress at its state of disrepair may well have precipitated the heart attack that caused his death.[2]

Lennox Sebe was undoubtedly a well-educated, talented and highly intelligent scholar, who, as ruler, knew precisely what he was doing and what he wanted. His Ambassador Plenipotentiary, Douw Steyn, describes him having, behind his stern, yet courteous appearance, a violent temper. On one occasion Steyn was present when Sebe gave his adult son, Kwane, a beating with a stick. [3]

An opponent characterised Sebe as a 'trigger happy leader,' and complained: 'Chief Sebe's manoeuvres make me very doubtful for the future. His fear of competition is at the expense of the development of Ciskei as a whole.'[4] This description of Sebe was underscored by a commissioner of the Quail Commission, Professor Robert Rotberg, who, in an appendix to the commission's report, lashed out at the use by Sebe's administration of preventative detention and banishment of his political opposition. Rotberg continued that the 'human rights of Ciskei' had been violated and that 'breaches of accepted forms of democratic behaviour' were commonplace. Sebe responded, not surprisingly, that he viewed the Professor's comments with contempt![5]

Although the Republic of Ciskei under Sebe was according to its constitution a democracy, this was a farce. There is no doubt that he was an arrogant, self-centered, autocratic, nepotistic and power-seeking despot, who ruled Ciskei and its people with an iron fist. He suppressed all opposition to his rule and he had the first, last and only say in all important political and administrative decisions. Like most tyrants he suppressed rather than addressed the interests of his people. By March 1990 Sebe's dictatorship had reached its zenith. 'Power corrupts, and absolute power corrupts absolutely,' and, like the Hindenburg, Lennox Sebe was ready to fall to the ground and disintegrate; he had become the catalyst for a coup d'état.

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[1] . *Daily Dispatch*, 26 July 1994.
[2] . Interview, Prince Z.Burns-Ncamashe, Bhisho, 21 April 2008.
[3] . Interview, Douw Steyn, East London, 28 Jan 2008.
[4] . Rogers, *Divide and Rule*, 78.
[5] . Stiff, *Warfare*, 128.

CHAPTER 2.1

THE FORMATIVE YEARS OF OUPA JOSHUA GQOZO : 1952 TO 1990

Brigadier Oupa Gqozo and his wife, Corinthian, now live on the farm Blacklands, which lies a short distance from the King William's Town/Stutterheim road – the same road on which General Charles Sebe and Colonel Onward Guzana were waylaid (see Chapter 3.2.). The farm is presently a far cry from what it must have been when it was the official residence of the Commissioner General to Ciskei: it is derelict. The only impressive features on Blacklands today are the two stone gateposts, each emblazoned with African warrior shields in slate, which flank the entrance to the homestead area. Nearby stands the roofless remains of a guardhouse. The farm house is in a severe state of disrepair and there is no garden, only long grass everywhere. All in all, it is a very depressing sight

When I met Oupa and Corinthian on Blacklands on 13 February 2007, I found them to be a friendly and happy couple, who, rather surprisingly, appear to see only the bright side of life. Despite their fall from grace and their desperate financial situation, they seem to be coping well with their circumstances. Their optimistic outlook on life is amazing when one bears in mind the raw deal they have experienced from the new South Africa. Despite having served in the armies of both South Africa and Ciskei for many years, and also having served his people as ruler of Ciskei for four years, Oupa Gqozo has not received a pension since his resignation in 1994. He is to all intents and purposes impecunious, and it is not surprising that Blacklands is in its present state of disrepair. His treatment by the South African government, and for that matter the ANC, is the only grievance that Gqozo bears.

Time has taken its toll of Oupa Gqozo. His beard is now grey, half his teeth are missing and he has aged beyond his 56 years. Due to being shot in the head and neck in the Mama affair, which is discussed in detail in Chapter 4.6, his speech is difficult to understand, especially when he becomes excited, which is often. He then, to all but Corinthian, seems inarticulate. His hands show the scars of the injuries he sustained when a heater he was filling exploded.

During my visit Gqozo, with the able assistance of Corinthian, related his personal history. Oupa Joshua Gqozo was born in Kroonstad, Orange Free State, on 10 March 1952. His mother died when he was seven months old and he was brought up by his grandparents, hence the name Oupa. His grandfather, Joshua Gqozo, whom he respected greatly, was born and bred near Middledrift in Ciskei and was a member of the Mcete clan. Gqozo's father drove a truck for the OK Bazaars in Kroonstad.

Gqozo's grandparents lived at Witgatboom, near Hammanskraal in the present-day Limpopo Province, and his primary education was completed at the nearby Pienaars River Primary School. He returned to Kroonstad for his secondary education, where he matriculated in 1971 at the Bodebeng High School.[1]

In 1972 Gqozo joined the Prison Service in Kroonstad. Two years later he trained to be a physical education instructor at the Baviaanspoort Training College, and during 1975 he was posted to the Klerksdorp Prison.

In 1976, whilst in a team of gymnasts that presented a display at the Transkei Independence Celebrations in Mthatha, Gqozo met Corinthian. They were married on 27 September 1978 and have four children - Mandla (born 15.6.80), Phindile (29.10.83), Andile (14.7.1987) and Sinayo (16.6.97). Whilst Gqozo was in power his two sons, Mandla and Phindile, attended St. Andrews College, a prestigious school in Grahamstown.

In 1977 Gqozo was transferred to the South African Defence Force and became a member of the 21 Battalion at Lenz Military Base, near Johannesburg. He was awarded the Pro Patria medal for the suppression of communism on 15 December 1978. When Charles Sebe, the half-brother of President Lennox Sebe, came to Johannesburg on a military course in 1981, he was so impressed by the young Gqozo that he recruited him as a physical education instructor in the Ciskei Defence Force (CDF). In that army he moved steadily up the ranks, being promoted to Captain in 1984 and Major in 1985. In 1986 he was moved to the Intelligence section. In 1987 Lennox Sebe, so as to make room in the army for one of his favourites, transferred Gqozo to Pretoria as Ciskei's Military Attaché to South Africa. He was promoted to Brigadier on 1 April 1988 and for

[1]. All the information in this chapter was obtained from interviews with Brigdier Oupa and Corinthian Gqozo at Blacklands on 13 Feb 2007 & 13 March 2008. .

meritorious service awarded the Order of Good Hope medal by the South African government on 8 December 1989. On completion of his term of duty in Pretoria he returned to Ciskei where he in January 1990 became the Chief of Staff, Intelligence in the CDF.

Soon after his return to Ciskei, Brigadier Gqozo was asked by his fellow officers in the CDF to lead a coup d'état against the government of Lennox Sebe. From then, 4 March 1990, till 22 March 1994, he ruled as the virtual dictator of Ciskei. During the interview Gqozo told the author on at least three occasions: 'I did not want the job. They forced me into it.'

CHAPTER 2.2

THE COUP D'ÉTAT : 4 MARCH 1990

On Sunday 4 March 1990 Malcolm Webb, an attorney who would later become the Minister of Foreign Affairs in Gqozo's government, attended the service in the Methodist Church, King William's Town, where Advocate Keith Matthee preached the sermon. After the service Webb travelled the ten kilometers to his office in Bhisho. At 11:30 his telephone rang. It was Mr Justice Heath, a judge of the Ciskei Supreme Court, who told him that certain gentlemen had come to his home and asked him for legal advice. Being a judge, he was not allowed to give them advice. Could he send them to Webb? A short while later four officers of the Ciskei Defence Force walked into Webb's office - the Head of Military Intelligence, Brigadier Oupa Gqozo (born 1952); the second-in-command of the CDF, Lieutenant Colonel Silence Pita (1952); the Senior Staff Officer, Personnel and Head of the Air Wing, Colonel Onward Guzana (1956); and the Director of Music, Major Peter Hauser (1944). What they told Webb astounded him. During the early hours of that morning the army had ousted President Sebe in a coup and taken control of Ciskei. The army had established an executive committee composed of the four officers now in Webb's office, with Gqozo its chairman. It would run the country until a council of state was appointed.

When they asked Webb to assist them with the legal aspects of the coup he, not surprisingly, told them that he had no experience of a coup d'état, but would do his best. He then drafted the speech Gqozo would deliver to the people that afternoon at Bhisho Stadium. Realising that he needed legal assistance in the matter, Webb called on Advocates Keith Matthee and Izak Smuts to advise him on the legal aspects of the coup.[1]

Violence by members of the UDF was rife in Ciskei from the mid-1980's.[2] The natural corollary to this state of affairs was counter-violence and an increase in the number of arrests, especially of members of political parties opposed to the Ciskei government - UDF, ANC, PAC, SACP and AZAPO. When this disorder increased in 1989 it was

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[1] . Interview, Attorney Malcolm Webb, East London, 16 Jan 2007.
[2] . Stiff, *Warfare,* 441.

obvious to all, including President Lennox Sebe, that his star was waning rapidly in the eyes of Ciskeians. In order to keep the control of Ciskei in his family, he decided that his son, Lieutenant Colonel Kwane Sebe, the Commander of the Elite Unit of the Ciskei Police Force, would stage a coup and take over the government. This would result in Kwane being the de jure head of state, but Lennox being the de facto head and still in control of the affairs of the country, albeit from behind the scenes.[1]

On Friday 2 March 1990 President Sebe flew from East London to Johannesburg on the first leg of an official visit to Hong Kong. Whilst waiting in the plane to take off from Jan Smuts Airport to Hong Kong, he was approached by a messenger sent by the South African Minister of Foreign Affairs, Pik Botha, who told him that a coup was imminent in Ciskei and that he should return home. The minister had been informed of the approaching coup by the retired commissioner of the South African Police, General Johan Coetzee, who was now a confidant of General Charles Sebe. President Sebe, no doubt believing that the messenger was referring to Kwane's coup, stated that he was satisfied that all was well in Ciskei and that he would not go back. He flew to Hong Kong.[2]

What Sebe did, however, not know was that he was not being warned about Kwane's coup, but about a coup the officers of the CDF had decided to launch to overthrow him. The genesis of their coup arose in December 1989 during discussions between officers of the CDF who were attending a military course in Kimberley. As they were dissatisfied with the rule of Sebe, they decided that once they were back in Bhisho they would gauge the feelings of their fellow-officers who had remained behind and, if they were like-minded, the army would oust Sebe in a coup.[3]

The grievances of the officers concerned the manner in which Sebe was governing Ciskei and the chaos this was causing. They were dissatisfied with his harsh, autocratic, nepotistic and corrupt rule. Also with the political upheaval that was tearing Ciskei apart and the part the army had to play in quelling the resultant violence.

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[1] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007 & *Daily Dispatch*, 6 & 10 March 1990.
[2] . Interviews, Gen. Z.Makuzeni, East London, 18 Jan 2007 & Pik Botha, Pretoria, 27 Dec 2007 & *Daily Dispatch*, 6 March 1990.
[3] . Interview, Lt.Col.L.Naka, Bhisho, 14 May 2007.

The proverbial last straw to the mounting dissatisfaction of the officers was when Sebe in November 1989, in an attempt to boost the low morale of the troops, ordered that all lower ranks be promoted immediately by one grade. Sebe gave this order despite a commission of enquiry having already been appointed to examine the dissatisfaction of the troops. The officers knew that the promotions would only be a palliative, which would not remedy the deep-seated discontent of the troops. Their low morale was due to the lack of leave and their long absences from home whilst curbing violence in various parts of Ciskei and, lastly, their having to fight against their own kith and kin when restoring law and order.[1] As soon as the officers returned from Kimberley they discussed the intended coup with their colleagues in Bhisho, who were also in favour of the revolt. The resolve of the officers to oust Sebe was strengthened when they gained information about Kwane's pending coup, which they decided to pre-empt with that of their own.[2]

When the officers heard that Sebe had left for Hong Kong, they decided the time was ripe to strike. On the night of 3 March 1990 the password for the commencement of the coup: 'Day time is night time, and night time is day time,' reverberated through the army camps of Ciskei.[3]

During the early hours of 4 March 1990 Lieutenant Colonel Samunzi Zantsi, who subsequently became Joint Chief of Staff, Intelligence, started the ball rolling. He sent Sergeant Major Melane with a few soldiers to the Bhisho residential area to arrest the senior officers of the army and the police force who were not part of the coup. Brigadier Solly Zwelendaba and Brigadier M.O.Sixishe of the army, and Colonel Kwane Sebe of the Police Force, were arrested and unceremoniously bundled onto the back of a 'bakkie' (pick-up), before being taken to army headquarters where they were detained.

Soldiers were posted to guard the legislative buildings, the radio station and other government buildings. Soldiers were also dispatched to the ministerial complex, where the ministers were placed under house arrest. As the officers knew that the ministers would telephone the South African government for help, they allotted a separate soldier to

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[1]. Interview, Lt.Col.L.Naka, Bhisho, 14 May 2007.
[2]. - do - & Gen. Z.Makuzeni, East London, 18 Jan 2007.
[3]. - do - .

guard each minister and to prevent him using the telephone, under threat of being shot.[1]

At about 4:00 the officers who had commenced the coup met at the base of Ciskei 1 Battalion. They were Brigadier Andrew Jamangile (Chief of the CDF), Colonel Onward Guzana, Leutenant Colonels Silence Pita, Samunzi Zantsi, G. Mteti (Commander, Ciskei 1 Battalion) and Lalela Nelson Naka (Chief of Staff, Operations), and Major Hauser. Zantsi had earlier that morning telephoned Brigadier Gqozo, who was at the time on holiday in the Seymour district, and requested him to return immediately to Bhisho. He arrived at the meeting at 5:00 with portion of his pyjamas protruding from under his jacket.[2]

At the meeting the officers discussed who should lead the coup. The first suggestion was that Lieutenant Colonel Zantsi should do so. He was a brilliant young officer who had done the spade-work in the coup thus far. He, however, declined the offer as he felt he was too young to lead. He suffered from sugar diabetes and died four years later from natural causes. The next suggestion was Chief Mabandla, the first Chief Minister of Ciskei, but his name did not meet with general approval. Then Colonel Guzana was proposed, who declined for security reasons.

The officers realised that they needed not only a figurehead to lead the coup, but also someone who was acceptable to the South Africans and who could restrain the SADF from intervening in the coup. As Brigadier Gqozo seemed best equipped to do so, they decided to elect him as their leader. It was well known that he was a favourite of the general staff of the SADF, and also that he was reputed to have links with SADF Intelligence. When he had a few weeks earlier ended his term as Ciskei's Military Attaché in Pretoria, he was on good terms with, and well liked by all in Pretoria. They therefore elected Gqozo as the leader of the coup and directed him to return the government to civilian rule after one or two years. They then established an executive committee comprising Gqozo, Guzana, Pita and Hauser, which would run the country until such time as a council of state could be established.

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[1]. Interview, Lt.Col.L.Naka, Bhisho, 14 May 2007 & Gen.Z.Makuzeni, East London, 18 Jan, 2007.
[2] . Interview, Lt.Col.L.Naka, Bhisho, 14 May 2007 & Brigadier Oupa Gqozo, Blacklands, 15 Feb 2007.

At about 8:00 Gqozo met the Commissioner of Police, General Fambalele Zozi, and other senior officers of the Ciskei Police Force. He informed them what had transpired and enquired whether the police force would support the coup. They said it would.[1]

Brigadier Gqozo next went to King William's Town to enquire from the South African Ambassador to Ciskei, Christiaan van Aard, what the attitude of his government was to the coup. The Ambassador had already been in contact with the South African Minister of Foreign Affairs, Pik Botha, whose government had decided it would not intervene.

At a press conference later during the day Gqozo told the media that the seizure of power had become imperative due to the widespread violence throughout Ciskei, the illegal detentions of Ciskeians that undermined the rule of law, the widespread corruption and abuse of state money, the nepotism and abuse of power by the previous government, and the deterioration of education and health services. He added that the future administration of Ciskei would be conducted by both the military and civilians, and that this situation would continue 'until a society based on democratic principles can be established.'[2]

As news of the coup spread the people of Ciskei flocked to the towns and into the streets in huge, joyful, celebrating crowds. They were ecstatic at the overthrow of the autocratic and nepotistic dictator, Lennox Sebe. Now, once again, the populace, who were virtually to a man followers of the ANC and its allies, would be able to air their political views, attend political meetings, and openly support their party. They were singing, ululating, dancing and raising their clenched fists in the air. Some were extending their right arm, with the thumb of their right hand pointing downwards, whilst with their left hand they pulled down their lower lip. This was a derogatory reference to the protruding lower lip of President Sebe, who was on occasions referred to as 'Lennox the lip.' [3]

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[1] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.
[2] . *Daily Dispatch*, 5 Sep 1990.
[3] . Patrick Goodenough, *Borderline* (East London, 2007), 65.

At 15:00 on the same day Gqozo proceeded to a packed Bhisho Stadium, where he addressed a euphoric crowd of singing and dancing people. At about sunset he went on to Sisa Dukashe Stadium in Mdantsane, where a crowd of over 100 000 cheering and ululating citizens gave him a tumultuous welcome. General Zebulon Makuzeni, who was then a Brigadier in the Ciskei Police Force, tells of the joy and happiness at that meeting. When Makuzeni arrived at the stadium in his police vehicle, members of the crowd boarded the vehicle and kissed the smiling, but startled policemen sitting in it.[1]

At the stadium Gqozo shared a podium with ANC and UDM activists. Speaking beneath the unfurled flags of the ANC and SACP, he told the cheering crowd: 'We are looking for a new future' and that the people 'should forget about the Sebe regime.'[2]

While General Makuzeni was still at the stadium he heard an explosion in a building across the road from it, which then went up in flames. The same happened to a motor garage in the vicinity. On leaving the stadium Makuzeni saw looters running towards the businesses in the area, and others running away, carrying goods. The anarchy and looting that commenced there continued for two to three days in the areas of Mdantsane, Fort Jackson, Dimbaza, Phakamisa and Zwelitsha.[3] Twenty-seven died and hundreds were injured in the violence, and in Fort Jackson alone twenty-seven factories were looted and nine gutted by fire. The damage done was estimated at R130 million rand, and 3000 workers were left without employment. It is, however, not known if those who were killed and injured were rioters shot by the security forces, or by people defending their property, or even by people settling old scores that had arisen during the Lennox Sebe era.[4]

Thus commenced the reign of Brigadier Oupa Gqozo in Ciskei, that lasted from 4 March 1990 till 22 March 1994. Although Gqozo was in the beginning no more than the chairman of the Council of State and the Council of Ministers, it soon became apparent that he was in control of all legislative, executive and administrative actions in Ciskei,

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[1] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.
[2] . *Daily Dispatch*, 5 Sep 1990
[3] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007 & Stiff, *Warfare*, 447.
[4] . Stiff, *Warfare*,447-448.

and that the two councils existed in name only. He was in all respects, other than title, a dictator.

Before we leave the topic of Gqozo's ascension to power we must consider who or what force, if any, was behind the coup d'état and election of Gqozo as Head of State. The then South African Minister of Foreign Affairs, Pik Botha, has stressed that due to the sensitive nature of the political atmosphere in Southern Africa at the time, and the negotiations that were taking place, the last thing that his government would have countenanced, let alone been party to, was an upheaval in Ciskei or, for that matter, in any of the homelands. On 2 February 1990 President de Klerk had announced that Nelson Mandela would be released from prison (which occurred on 11 February 1990), that the ANC, PAC and SACP would be unbanned and that the government was entering into negotiations with the ANC for the introduction of a new constitution based on universal suffrage: in short, the end of apartheid. Furthermore, South Africa was at the time also involved in negotiations to grant South West Africa (Namibia) independence. The whole world, according to Botha, was watching these developments and the leaders of the South African government did not want any event to occur that would detract from the pacifist picture their government was proclaiming, or from the various negotiations it was conducting at the time.[1]

Although Minister Botha's averment that the South African government was not involved in the coup is correct, his protestations that his government was intent on not doing anything at the time to detract from the pacifist picture that it wished to reflect to the world seems far-fetched. His statement must be contrasted with the viewpoint of the authors Rupert Taylor and Mark Shaw. In an article, 'The Dying Days of Apartheid,' they refer to compelling evidence for their belief that the violence that killed 16000 people on the Reef and in KwaZulu-Natal during the period 1990 to 1994 was in accordance with the political will of the state. They conclude that 'the violence must be firmly placed in the context of the (continued) inhumanity of apartheid,' and that 'the chain of state sponsored violence went right to the top.'[2]

[1] . Interview, Pik Botha, Pretoria, 27 Dec 2007.
[2] . R.Taylor & M.Shaw, 'The Dying Days of Apartheid'in D.R.Howarth and A.J.Norval (Eds) *South Africa in Transition (*Basingstoke,1998),13-30.

The writers contend further that when President F.W.de Klerk in 1990 unbanned the ANC and opted for a democratic reform, he and the National Party had what they considered to be 'a winning game plan.' In the words of the former Commissioner of Police, Dirk Coetzee: 'They (the N.P.) did not unban the ANC without deciding that they would be able to steer the course.'[1] The course comprised covert operations and violence that would 'lock the ANC into a compromise agreement centred on compulsory power-sharing as opposed to majority rule.'

In this respect the independence of Namibia in 1989 was an example of what could be achieved. South Africa had, by means of twin track negotiations and a destabilisation strategy, coupled with a multi-million rand campaign under General Kat Liebenberg, bolstered the Democratic Turnhalle Alliance and reduced the estimated 80 per cent vote for Swapo to no more than 60 per cent. To obtain a similar result in respect of the ANC a strategy would be evolved similar to that carried out by Military Intelligence in Angola and Mozambique, which was effected by surrogate forces so as to obscure state involvement. The main such force after 1990 would be the Inkatha Freedom Party.

According to the authors there is ample evidence that indicates that the apartheid state continued to use violence from 1990 onwards to protect itself and to achieve its objectives. They continue:[2]

> It emerges that hit squad activity increased dramatically from 17 incidents leading to 17 deaths in 1990, to 56 incidents leading to 45 deaths in 1991. In fact, over January 1990 to April 1992, the HRC identified 119 people who were killed in political assassinations, and over 100 of these victims are clearly identifiable as belonging to the anti-apartheid camp …….Also, in the period 1990-92 around 300 people were killed in train attacks, the most notorious incident being the massacre of 26 people on the Soweto-bound train on 13 September 1990. Altogether, in the two years from July 1990, there were 49 reported massacres (in which ten or more people were killed) resulting in 1250 deaths…..Detailed analysis of the masacres reveals two main characteristics. Inkatha emerges as the most visible aggressor, and the choice

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[1] . Taylor and Shaw, 'The Dying Days of Apartheid,' 17.
[2] . - do - , 19.

> of victims appears to be random…..To a large extent, both these patterns can be explained in terms of the political will of the apartheid state.

When the Weekly Mail and certain security policemen revealed in July 1991 that the State had supplied Inkatha with arms and ammunition, and as late as March 1990 had paid R250000 to it, State President de Klerk claimed that he did not know that this had happened. He was, however, compelled to remove the Minister of Defence, Magnus Malan, and the Minister of Law and Order, Adrian Vlok, from their ministerial posts.

Secret tapes have revealed that when, in mid 1990, Colonel Johan Putter informed the Minister of Law and Order, Adrian Vlok, that assassinations were being carried out by state hit squads, he responded: "I support you in these things, but you must know I will be committing political suicide if they come to light."[1] On this evidence that Minister Vlok knew, as early as 1990, that the violence was being perpetrated by state structures, it is un-convincing, if not fallacious to contend that he did not inform the cabinet about what was happening, and that the President and the other cabinet ministers had no knowledge thereof.

The main surrogate of the South African government was Inkatha, and the covert operations included front organisations such as the IR-CIS (see Chapter 3.1), which was set up in 1990 in Ciskei to turn Brigadier Oupa Gqozo against the ANC and General Bantu Holomisa of Transkei. It was also involved in the failed coup attempt in Transkei in November 1990.[2]

When towards the middle of 1992 the policy of destabilisation was not having the desired effect, and the approval ratings of President de Klerk had plummeted amongst the metropolitan black people, cabinet ministers Pik Botha and Roelf Meyer favoured a loosening of the NP's alignment with the IFP, and rather seeking rapprochement with the ANC. This pressure from within its ranks, coupled with the collapse of Codesa and the shock of the Boipatong and Bhisho Massacres, led both the National Party and de Klerk to realise that the destabilisation policy would not succeed. De Klerk therefore signed the Record of Understanding with the ANC on 26 September 1992, and reined in those securocrats who were reluctant to accept the new approach. In August 1992 eighteen SAP generals were retired and in November de Klerk appointed the SADF Chief of Staff, General

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[1] Taylor and Shaw, 'The Dying Days of Apartheid,' 21.
[2] . - do - , 21.

Pierre Steyn, to investigate, inter alia, the question of state complicity in the violence. Although the outcome of this inquiry was never made public, during December 1992 seven senior officers in the SADF were placed on compulsory leave and 16 others on compulsory retirement for 'unauthorised activities' involving political violence that resulted in deaths. Funding and support for all covert operations was withdrawn and from that time the violence tailed off, save in KwaZulu-Natal, where Inkatha hit squads were still operative.[1]

There is therefore incontrovertible evidence that a great deal of the violence was state orchestrated. Although no similar absolute evidence exists that the knowledge of the state's involvement went 'right to the top,' there is strong circumstantial evidence that this was the case. It is unconvincing to be told, in view of the proved knowledge of ministers such as Adrian Vlok that the state was involved, that this information was not divulged to the whole cabinet, and that the likes of President de Klerk and Minister Pik Botha were not aware of the origin of the violence.

It may well be this involvement of the South African security forces in covert and destabilising operations at the time that led the renowned historian, Professor J.B.Peires, to conclude that it was the South African government that was behind the coup that dethroned Lennox Sebe and installed Oupa Gqozo as Head of State in Ciskei. In an article, 'The Implosion of Transkei and Ciskei,'[2] Professor Peires states:

> It (the South African government) had sent Gqozo to Ciskei during F.W.de Klerk's brief honeymoon with the ANC, in the hope that he would restore stability and control.[3]

Later in the article he adds:

> The political alliance of the black middle and working-classes, expressed in the civic associations, threatened to overwhelm Sebe's feeble administration, thereby prompting South Africa to replace him with the more energetic and apparently competent Oupa Gqozo.[4]

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[1] . Taylor & Shaw, 'The Dying Days of Apartheid,' 24.
[2] . *African Affairs*, (1992), 91, 365-387.
[3] . Page 380.
[4] . Page 382.

I must, with the greatest respect and in humility, disagree with this opinion of Professor Peires. It is manifest that the coup was a purely domestic matter, and that neither South Africa, nor any third force, instigated, implemented, or assisted in its execution.

Support for the premise that South Africa was not involved is found in the above history of the origin and conduct of the coup. It was an exercise of the officers of the CDF only. The conceptual germ of the coup originated among officers of that army who were on a training camp in Kimberley, and it was executed by them and their fellow officers in the CDF. At no stage was any outside persuation or assistance involved. This contention is confirmed by those who were actively involved in the coup, and also those who would have known if there had been any outside involvement. Lieutenant Colonel Silence Pita, a member of the original Executive Committee and subsequently Gqozo's deputy on the Council of State, and Mluleki George, the then President of the UDF, are satisfied that there was no South African involvement or assistance. So too do Colonel Willem de Lange, who was at the time a member of the East London Branch of the South African Security Police, and Malcolm Webb, a legal adviser and subsequent Minister of Foreign Affairs in Ciskei, confirm that there was no involvement by any outside government or other force. Had there been, they would have known about it. De Lange and Webb state that although there were rumbles of discontent in Ciskei at the time, the coup came as a total surprise to them. They both had their ears close to the ground and had the South African government, or its security forces, or a third force, instigated or carried out the coup, or been involved in it in any way whatsoever, they would have been aware of such involvement.[1]

Furthermore, the reason for the election of Gqozo to lead the coup, i.e. fear that the SADF would interfere, corroborates the conclusion that the South African government was not a party to the coup.

Lastly, the allegation by Pik Botha, for what it is worth, that South Africa was not involved in the coup or the appointment of Gqozo, seems, in the light of the available evidence, to ring true. It is not disputed that he sent a messenger to warn Lennox Sebe at Jan Smuts Airport about the pending coup. He would surely not have done so had his government been

[1] . Interviews, East London, Malcolm Webb, 16 Jan 2007, & Colonel Willem de Lange, 11 Feb 2008 & Lt.Col.Silence Pita, Braunschweig, 13 March 2008.

a party to the coup. Furthermore, as will be seen later in this thesis, Botha on numerous occasions attempted to rid Ciskei of Gqozo and to have him stand down. Such events would have been less likely had Botha placed him there in the first place.

There seems therefore no doubt that neither South Africa, nor any third force, was involved in the coup that dethroned Lennox Sebe and installed Oupa Gqozo as head of Ciskei, and that it was a purely domestic affair, conceived and concluded by officers of the CDF.

.CHAPTER 2.3

THE HALCYON MONTHS OF GQOZO'S RULE : MARCH TO OCTOBER 1990.

The euphoria of the people of Ciskei at the fall of Lennox Sebe was so great that any person who had caused it would have received tumultuous acclaim. The adulation that Brigadier Oupa Gqozo received immediately after the coup was therefore no criterion of his popularity or ability, or of how long his rule would last; that would depend on his governance in the years ahead.

When Gqozo addressed the crowd at Sisa Dukashe Stadium in Mdantsane on the afternoon of 4 March 1990, he told them that the army had taken over Ciskei in a coup, which was supported by the police and prison services, and that a four-man executive committee had been established to run the country. In due course a council of state, whose members had still to be appointed, would take over all legislative and executive duties.

In his speech Gqozo gave the crowd the assurance that the transition would be orderly and peaceful, the judiciary and government departments would continue to function, all contracts and obligations of the state would be honoured, the rights of people in Ciskei would be zealously guarded, all businessmen, tourists and seconded officials would be protected, and that all political prisoners held under the National Security Act would be released immediately. The executive committee, and then the council of state, would administer the country 'until a society based on democratic principles can be established.'[1]

As is stated in the previous chapter, Gqozo's appeal to the crowd to observe law and order, to celebrate peacefully and calmly, and not to engage in acts of retribution, fell on deaf ears. Soon after he made the appeal, burning, looting and general mayhem occurred in which many were killed and injured. Sipho Tanana, who later became the National President of the National African Federated Chamber of Commerce and Industry, tells that on the day of the coup he attended a meeting in Bhisho. When he returned to Mdantsane he found both his bottle store and house burnt to the ground. He does not

[1] . *Daily Dispatch*, 5 Sep 1990 & Interview, Gen. Z.M.Makuzeni, East London, 18 Jan 2007.

know why he was targeted by the mob, but suspects that it could be that he, a businessman, was thought to be an associate and supporter of Sebe.[1] President Sebe's house in Tshatshu was also razed to the ground and within days of the coup two statues of the president, that had cost R90 000 each, were removed from their plinths by the Department of Public Works.[2] Gqozo attributed the wanton destruction to the people deciding, in their jubilation, to destroy everything they associated with the Sebe regime.[3]

From what was said at Sisa Dukashe Stadium, and his statements to the press, it would appear that when Gqozo led the coup he had noble and exemplary intentions for his country and its people. He sought peace and calm, and promised a speedy return to democracy. That he was genuine when he expressed these intentions is supported by his actions in the early months of his reign. During that time he did everything in his power to stop the disorder; he disbanded the Elite Unit; he released political prisoners; he appointed experts to draw up a constitution, bill of rights, labour laws and a public defender system; he explained the necessity for a coup to foreign nations, and he ended all restrictions on movement between Ciskei and Transkei. Possibly his major concession at the time was to allow all political parties and trade unions to once again operate freely in Ciskei, without any government interference; something that had been taboo in Sebe's time. He, furthermore, at different times addressed investors, industrialists, seconded officers and members of the army, police force, civil service and trade unions.[4]

Although Brigadier Gqozo's intentions were genuine at the outset of his rule, they were, sadly, reminiscent of the beautiful flowers of the One Day Lily: they bloom for a day, then wither and die. In similar fashion Gqozo's noble utterances and deeds lasted but a brief period before they ceased, and he too became a quintessential, self-centered dictator. His high ideals were undermined by fears and suspicions inculcated in him by various intelligence agencies. An examination of the historical events of his reign reveals how and when the change in his approach, especially to the ANC, took place.

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[1] . Interview, S.M.Tanana, East London, 27 Sep 2007.
[2] . Stiff, *Warfare, 447.*
[3] . *Daily Dispatch*, 6 Sep 1990 & Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.
[4] . Interview, Advocate Keith Matthee, Grahamstown, 8 Feb 2007.

As will be seen in the conclusion hereto (Chapter 5), Gqozo was basically a law-abiding and simple man, who started his rule with the best intentions for the people of Ciskei. Unfortunately he was simply not equipped to be a ruler and in time he believed that the panacea for his daily dilemmas lay in seeking more power for himself. Despite all his problems, he appears throughout his reign to have been a charming, charismatic and friendly character. Dr Kelvin Rivett, an ophthalmologist practising in East London, describes him as charming and likeable, and the antithesis of the two premiers of Transkei, K.D. and George Matanzima. The latter were not only patronising, but would also come unheralded to the doctor's consulting rooms and demand immediate attention. Gqozo on the other hand, would make an appointment and on arrival await patiently the agreed time of the consultation. Dr Rivett adds: 'Despite being the ruler of Ciskei, he was always civil and friendly, and I could converse with him in a relaxed manner, as with any of my other patients.'[1] Advocate Keith Matthee (Minister of Justice), Attorney Malcolm Webb (Minister of Foreign Affairs) and Dr Henk Kayser (Minister of Health) all agree with this description of Gqozo being a friendly and charismatic personality. Mathee has stated: 'I always liked Oupa Gqozo as a person, even after he fired me as Minister of Justice.'[2]

Traci Mackie, a journalist on the *Daily Dispatch*, wrote as follows about an interview she had with Brigadier Gqozo and his wife, Corinthian, in July 1990:

> There is just no comparison between Gqozo and Sebe. Brigadier and Mrs Gqozo are like chalk and cheese compared to Dr and Mrs Sebe. At least when the Brigadier speaks you are scared you might miss out on a good crack; at times when Sebe got to the mike snores galore filled the room from his audience.[3]

Attorney Malcolm Webb, who became Minister of Foreign Affairs, has given the following thumb-sketch of Gqozo: 'A friendly and generous man who in the early years of his rule was one of the most underrated leaders of his time in the sense of fair play and the advancement of his country and its people. Regrettably, his good intentions were

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[1] . Interview, Dr.K.Rivett, East London, 14 March 2007..
[2] . Interview, Advocate Keith Matthee, Grahamstown, 8 Feb 2007.
[3] . *Daily Dispatch*, 26 July 1990.

stymied by fears and antagonisms inculcated in him by the various intelligence agencies. He developed a paranoia about the army and the ANC and its associates.'[1]

On the day of the coup, whilst Gqozo was receiving the adulation of the masses, some members of the Elite Unit in the Police Force considered opposing the coup, but they received no support from the rank and file of the security forces who were in favour of the overthrow of Sebe.[2]

On the next day, 5 March 1990, Gqozo declared a state of emergency in the country and opened talks with the UDF in an attempt to stop the anarchy. He also called on the South African government for assistance to quell the riots. The SADF immediately moved into Ciskei and assisted in protecting government and other strategic buildings, and generally restoring law and order.[3] Popo Molefe, the general secretary of the UDF, stated: 'The police were yesterday's enemies, but they can be today's and tomorrow's friends.'[4]

Also on 5 March 1990 Gqozo addressed a meeting of civil servants in the Legislative Buildings. His message was succinct and explicit: he had established a caretaker government and he would return all authority, and the administration, to civilian rule as soon as possible.[5]

Later that day, at a mass 'peace meeting' held in Bhisho Stadium, both Gqozo and Mluleki George, the president of the United Democratic Front, appealed to the huge crowd to stop the burning and looting. They also appealed to those in the rural areas to stop burning the kraals of headmen and chiefs.[6]

On the following day the executive committee suspended the constitution, abolished the Ciskei National Assembly, and ordered that all political prisoners who had been detained under section 26 of the National Security Act, 1982, be released. Gqozo reiterated his

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[1] . Interview, Attorney Malcolm Webb, East London, 16 Jan 2007.
[2] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007 & *Daily Dispatch*, 9 March 1990.
[3] . *Daily Dispatch*, 6 March 1990.
[4] . Stiff, *Warfare*, 448.
[5] . Interview, Advocate Viwe Notshe, East London, 13 Feb 2008.
[6] *Daily Dispatch*, 6 March 1990.

earlier pledge that all political organisations were free to operate in Ciskei. He also stated that Transkei had neither been a party to, nor assisted in the coup.[1]

After three National Party members of parliament, Messrs Callie Badenhorst, Billy Nel and Ray Radue, met Brigadier Gqozo on 6 March 1990, they stated that they were impressed by 'his competent attitude.' [2]

On 7 March 1990 Gqozo appointed Advocates Keith Matthee and Izak Smuts, and Professor Weichers of the University of South Africa, a renowned expert on constitutional law, to draft a new constitution and bill of rights for Ciskei. He was anxious that especially the bill of rights, which would protect the rights of the average Ciskeian, be enacted.[3] It is uncertain whether he understood the implications of this legislation, which would later become a thorn in his flesh.[4]

On 8 March 1990 the eleven members of the Council of State were sworn in by the Chief Justice of Ciskei, the Honourable Mr Justice B. Pickard. They were Brigadier O.Gqozo, Major P.Hauser, Chiefs J.T.Mabandla and L.Maqoma, Reverend D.D.Ngcuka, Messrs Z.Ngoqo, B.N.Pityi, H.K.Nyikana, S.Madwanya, W.M.Mjolo and H.Nabe. Many of the new members had a history of opposition to Sebe. Chief J.T.Mabandla, the first Chief Minister of Ciskei, had been the Minister of Posts and Telecommunications in Sebe's government, but was later detained by him. Mr Z.Ngoqo, an ex-magistrate, during 1989 convicted four captains of the Elite Unit of assaulting a colonel whilst he was in detention, and sentenced each of them to a fine of R600 or twelve months imprisonment. The next day Sebe fired him and promoted the four captains to the rank of Major. Mr.B.N.Pityi, who was accorded the Foreign Affairs portfolio, had previously held the same portfolio under the Sebe government. Mr.W.M.Mjolo, a newcomer to politics, was appointed Minister of Internal Affairs. Mr.H.Nabe, previously a dean at the University of Fort Hare, was a former Minister of Education under Sebe, but resigned on being unjustly rebuked by him. Major Hauser was

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[1]. *Daily Dispatch*, 7 March 1990 & *Race Relations Annual*, 1989/90, 493.
[2] . *Daily Dispatch*, 7 March 1990.
[3] . *Daily Dispatch*, 8 March 1990 & Interview, Advocate Keith Matthee, Grahamstown, 8 Feb 2007.
[4] . See Chapter 3.5.

appointed Minister of Finance. The Defence, Health and Welfare portfolios were held by the executive committee.[1]

On the same day, 8 March 1990, Brigadier Gqozo and the executive committee met with the South African Minister of Foreign Affairs, Pik Botha, and explained to him the circumstances that had led to the coup, namely, to pre-empt a coup by the President's son, Kwane Sebe, which would simply have entrenched the corrupt rule of Lennox Sebe. Gqozo assured Botha that it was his intention to appoint experts for the reconstruction of Ciskei and the creation of confidence in the integrity of his government. Also that Ciskei would honour all its contracts and commitments, and that freedom of expression would be ensured.[2]

Later that day Gqozo was given a rousing welcome and greeted with repeated cries of 'Viva Comrade Gqozo' by thousands of people at a gathering in Peddie. He told the meeting that all funds taken by Sebe's party, the Ciskei National Independence Party, would be returned to the people. He also appealed to Ciskeians to 'take your guns, matches, petrol bombs and pangas, and throw them in the sea.' He believed that a bright future awaited Ciskei and that even South Africa was tired of Sebe. He informed the crowd that the Elite Unit had been disbanded as it was a curse of nepotism from the past.[3]

On 27 March 1990 Brigadier Gqozo and the President of the UDF, Mluleki George, addressed a public meeting organised by the Institute for Democratic Alternative for South Africa (IDASA) on the question of violence. Gqozo stated that following the ten years of mismanagement by the Sebe regime it was now time for Ciskei to put its house in order. Mr. George said that although he was not making excuses for the anarchy that followed the coup, the violence was the result of feelings that had long been suppressed.[4]

In March and April Gqozo addressed separately the army and the police, and, after explaining the reasons for the coup, stated that the new government required their support.[5]

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[1] . *Daily Dispatch*, 9 March 1990.
[2] . *Daily Dispatch* ,9 March 1990 & Interview, Pik Botha, Pretoria, 27 Dec 2007.
[3] . *Daily Dispatch*, 9 March 1990.
[4] . *Daily Dispatch*, 29 March 1990 & Interview, Mluleki George, King William's Town, 25.3.08.
[5] . *Daily Dispatch*, March & April, 90.

When Nelson Mandela addressed a huge gathering in Bhisho Stadium on 1 April 1990 he praised Gqozo for having overthrown the Sebe regime. He described Gqozo as 'the hero of the moment.'[1]

In a speech to the South African Institute of International Affairs on 3 April 1990 Gqozo reiterated his commitment to re-establish a democratic government. He stated: 'We are committed to responsible democratic government by and for the people. We abhor personality cults, which led directly to the abuse of power by the house of Sebe.' He continued that his government was committed to free enterprise and he ecouraged developers to invest in Ciskei. He hoped that this would happen and that employment opportunities would be created for the people. He believed in a free democratic South Africa with a constitution protecting the individual, no repressive laws, no press censorship, freedom of association and religion, with education, health care and social welfare for all its citizens.[2]

It was at this meeting that Gqozo approached Dr Henk Kayser, a Dutch national who had practised as a surgeon in East London since 1961, and invited him to become the Minister of Health in his government. Kayser accepted the invitation and ten days later he and Mr. Jimmy Lawana were sworn in as Minister of Health and Minister of Finance and Economic Affairs, respectively. Kayser later became the chairman of the Council of Ministers, and thereafter a member of the Council of State. He lived in a house in the ministerial complex, Bhisho, near Gqozo's palace, and he became both the family doctor and a personal friend of the Gqozo family. He describes Gqozo as being an intelligent, honest and charismatic young man, who was free of corruption and a dedicated family man. Kayser is adamant that Gqozo was, out of the starting blocks, a good ruler with good intentions which were, regrettably, later destroyed by the misinformation of agents of the SADF. Mr. Lawana agrees with this description of the young ruler and summarises his fall from grace as follows: 'Gqozo became a nervous dictator, remotely controlled by others.'[3]

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[1] . *Daily Dispatch,* 2 April 1990.
[2] . - do - , 7 April 1990.
[3] . Interviews, Dr H.Kayser, East London, 8 Dec 2007, & J.Lawana, Dimbaza, 6 March 2007.

On 12 April 1990 Gqozo announced the end of all the restrictions his predecessor had imposed on movement between Ciskei and Transkei. He stated that the brotherhood of the Xhosa nation comprised a group of chieftainships bound by bonds of consanguinity.[1]

The first manifestation of Gqozo's paranoia about his and Ciskei's well-being surfaced a month after he assumed power, when, due to some personal disagreement, he dismissed from the executive committee two of its founder members, Colonel Onward Guzana and Major Peter Hauser. Guzana was accused of plotting a coup d'ètat, and detained under the National Security Act, but released on 17 May 1990. In June he was detained again and accused of 'inciting the soldiers to support him.' When he was charged with terrorism and released on R5000 bail, he fled to Transkei. The allegations against him appeared unfounded, as was the claim that he had met General Holomisa in secret, which was denied by both Guzana and Holomisa. Major Hauser was also detained and charged with treason. He fled to Austria.[2]

On being asked how secure he felt Gqozo replied: 'Only a very naive person would think that I am unpopular in Ciskei .....Colonel Guzana and Major Hauser were stupid to think they could depose me.'[3]

The Commissioner of Police at the time, General Zebelon Makuzeni, the Chief of Staff (Operations) in the CDF, Lieutenant Colonel Lalela Naka, and the Minister of Economic Affairs, Jimmy Lawana, are all satisfied that there was no substance whatsoever in the indictments against Guzana and Hauser, and that the charges of treason were simply the result of misinformation, or a disagreement between Gqozo and the two officers. Gqozo's deputy in the Council of State, Lieutenant Colonel Silence Pita, confirms that although the two officers were dissatisfied with the manner Gqozo was running the country, there was no question of an attempted coup or any treasonable action on their part. Gqozo told the Council of State that he had information that the two officers wanted to take over the government, but he refused to disclose the source of his information.[4]

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[1] . *Daily Dispatch*, 13 April 1990.
[2] . *Daily Dispatch*, 28 Jan 1991 & Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.
[3] . *Daily Dispatch*, 28 Jan 1991.
[4] . Interviews, Gen.Z.Makuzeni, East London., 18 Jan 2007, Lt.Col.L.Naka, Bhisho, 14 May 2007 & Lt.Col. Silence Pita, Braunschweig, 14 March 2008.

On 25 April 1990 the Ciskei government announced that it was aware of a plot to overthrow Brigadier Gqozo's two-month old regime, with the aid of professional mercenaries. The government gave no details of the identity of the plotters, but warned that those involved were being monitored.[1] Nothing more was ever heard or came of this suspected plot and one wonders if it was not simply another phantom of a nervous mind.

On 30 April 1990 the Council of State unbanned the ANC, PAC, SACP, South African Allied Workers Union and Iliso Lomzi.[2]

In his speech at the opening of the new Gary Player golf course at the Fish River Sun Casino on 4 May 1990 Gqozo stated that it was his government's intention to give high priority to tourism in Ciskei and that an autonomous tourism board would be structured. He expressed the hope that the golf course would attract world-class golfers and that the Ciskei showpiece would become as familiar as Sun City.[3]

In May 1990 Gqozo appointed the Jardine Commission of Inquiry to investigate corruption in Ciskei 'from 1981.' The chairman was Advocate M.C.Jardine and the members were Advocate Deva Pillay and Attorney Hintsa Siwisa. Advocate Viwe Notshe, who later became Minister of Police, Prisons and Traffic, was to lead the evidence.

The commission had, however, hardly commenced its work when Gqozo disbanded it on 29 January 1991. A government official stated that because the mechanism of a commission of inquiry had not proved successful in the past, the Jardine Commission had been closed down and its work transferred to a special division of the Ciskei Police Force. This was surely a puerile and unacceptable excuse for the closure of the commission, bearing in mind how recently it had been established.[4] Advocate Notshe suggests a different reason for the premature closing. As the commission had been given an open-ended mandate 'from 1981,' it commenced investigating the actions of the members and officials of Gqozo's government, and in particular the alleged corruption of the Minister

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[1] . *Daily Dispatch*, 26 April 1990.
[2] . Stiff, *Warfare*, 449.
[3] . *Daily Dispatch*, 5 May 1990..
[4] . *Daily Dispatch*, 31 Jan 1991 & Interview, Advocate V.Notshe, East London, 13 Feb 2008.

of Internal Affairs, W.M.Mjolo. This may well, according to Advocate Notshe, have been the reason for the sudden and unexplained pulling of the plug on the commission. Notshe can think of no other reason.[1]

Under the previous regime labour relations in Ciskei were at their nadir. Sebe had forbidden trade unions to enter, organise, or operate in Ciskei. This led to the labour force being underpaid and the workers being at the end of their tether by the time the coup occurred. When the coup was announced the workers gave vent to their dissatisfaction by burning and looting factories and businesses. Brigadier Gqozo summarised the situation when he subsequently told a symposium of businessmen: 'When I assumed power, employers and employees were not only at my throat, but also at one another's throats.'[2]

Gqozo acted swiftly to remedy this volatile situation in the labour market. On 22 March 1990 he announced that the government had appointed experts in the field of labour relations to investigate the labour laws of the country. He also undertook to enquire into the situation of trade unions in Ciskei.[3]

Extensive negotiations followed between all parties interested in employer/employee relations. In the negotiations Advocates Keith Matthee and Izak Smuts, and Attorney Malcolm Webb represented the Ciskei government; Halton Cheadle (an attorney from Johannesburg) represented labour, especially the Council for South African Trade Unions (COSATU), and Peter Williams (an attorney from Port Elizabeth) represented Industry and Commerce. All these lawyers were recognised experts in the field of labour relations. The outcome of the negotiations was a draft set of labour regulations that was presented to the territory's industrialists, businessmen and trade unionists at a meeting in the Town Hall, King William's Town, on 3 May 1990. The meeting was addressed by Gqozo and the experts. Although the regulations met with general approval, some of the industrialists present at the meeting complained that promises made to them by Sebe had now been broken. One stated: 'We came to Ciskei because Sebe said we need give

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[1] . Interview, Advocate V.Notshe, East London, 13 Feb 2008.
[2] . *Daily Dispatch*, 10 Aug 1990.
[3] - do - , 23 March 1990.

our workers only one meal a day. Now you say we must give them three meals a day!' No wonder many exclaimed: 'Hail Gqozo!'[1]

The Labour Relations Decree, 15 of 1990, was promulgated on 1 June 1990. It granted trade unions the right to exist and organise in Ciskei. Both unions and employers' organisations had to register with the Department of Manpower Utilisation. The Decree also established conciliation boards, an industrial court and a labour appeals court. Other employer/employee aspects covered in the Decree included protection from victimisation, the right to freedom of association and indemnification for losses suffered due to a strike or lock-out.[2] The Decree met with widespread approval and it is not surprising that Malcolm Webb, later the Minister of Foreign Affairs, is of opinion that at the time this was one of the finest, if not the finest, set of labour regulations in Southern Africa. These labour regulations were subsequently followed closely by the Republic of South Africa when it drew up its new labour laws.[3]

In early June the Commissioner of Police, General L.B.Madolo, was dismissed for alleged involvement in a suspected coup to overthrow Gqozo and install General Charles Sebe as Head of State. Once again there was no substance to this allegation. There is no certainty why Madolo was dismissed, but what is clear is that his telephone was being tapped. It was rumoured that he had been dismissed because he had been heard speaking telephonically to Charles Sebe in Mthatha. General Zebelon Makuzeni states that on one of his visits to the Palace, when he was Minister of Police, Gqozo showed him a special room which was equipped with listening devices on which Gqozo listened in to the telephonic conversations of members of the Council of State and other senior members of his government.[4]

The Council of State abolished the death penalty on 8 June 1990.[5]

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[1] . *Daily Dispatch,* 2 May 1990 & Interviews, Grahamstown, Advs Keith Matthee and Izak Smuts, 8 Feb 2007.
[2] . Decree 15 of 1990 (Ciskei).
[3] . Interview, Attorney Malcolm Webb, East London, 16 Jan 2007.
[4] .*Daily Dispatch,* 5 June 1990 & Interviews, East London, Dr H.Kayser, 8 Dec 2007 & Gen .Z .Makuzeni, 13 March 2008.
[5] .*Daily Dispatch,* 9 June 1990.

On 30 August 1990 Gqozo met with General Holomisa, the Chairman of the Military Council of Transkei, and the two leaders discussed matters of co-operation and bilateral concern 'in a spirit of mutual understanding.'[1]

It has been said that 'power tends to corrupt and absolute power corrupts absolutely.'[2] As early as October 1990 the gratification of power seemed to be corrupting Brigadier Gqozo's earlier commitment to a rapid move to a democratic form of government. From a statement he made during the month to Patrick Goodenough, a reporter on the *Daily Dispatch*, it appeared that he had discarded his earlier good intentions and was by then intent on retaining power for himself. He said:

> Although the military government is new and still in the process of learning, I have no intention yet of handing over the reins of government to civilian rule. I would rather not go for a general election at the moment…..a lot of things have not yet matured or developed....I feel that this is my time to lead, and to do so for many more years to come. I have a clear desire to take this region into the new South Africa. I envisage a situation at the negotiating table where Ciskei can articulate my view of a future dispensation that this region wants, which is regional status in a federal system……I'm not about to let my people go in all directions. We saw Sebe take the country down the drain and that is why we took over the government. I'm not about to give it to anybody. I'm sure all of them need my help…..The ordinary man in the street just wants his life to be improved. He doesn't want to dabble in politics. He's got too many problems of his own. He just wants to be led properly by a good administration.[3]

The man in the street, let alone members of the government and the security forces, must have found these statements both awesome and disconcerting. Here was a ruler who, after seizing power by illegal means, now believed that he was some kind of saviour of his people who should rule as long as he pleased. So much for his many earlier promises that he would restore democracy and a civilian government as soon as possible!

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[1] .*Daily Dispatch*, 31 Aug 1990.
[2] .J.E.Dalberg in *Letter in the life of Mandell Creighton* (1904), 372.
[3] .*Daily Dispatch*, 30 Oct 1990.

In the same interview he indicated his disaffection with the ANC and the PAC, which was a sign of things to come. He said: 'There was also this misconception by many people that the ANC and PAC are a government on their own and that they have nothing to do with the Ciskei government. So they felt the government cannot interfere and they can just do what they like. That concept had to be stopped because all local government must owe their allegiance and loyalty to the government.'

There was possibly some justification for Gqozo being circumspect about the ANC as it was not only bringing pressure to bear on him, but was also taking control of the residents associations. The ANC found it difficult to accept Gqozo's policy of similar treatment, and therefore similar status, for all political parties in Ciskei. It wished to build a power base there for future political negotiations, similar to that in Transkei, where the ANC was clearly the favoured political party. This pressure that the ANC exerted on Gqozo caused him a great deal of stress and at times even physical sickness.[1] According to Lieutenant Colonel Silence Pita, Gqozo had an autocratic and dictatorial attitude to the other members of the Council of State. They all, including Gqozo, would discuss a problem and reach unanimity on what had to be done. The following morning Gqozo would renege on the communal decision and, despite objections, insist that the problem be resolved in a different manner.[2]

On 7 March 1990 Gqozo allotted the task of drawing up a new constitution and bill of rights to a committee comprising Advocates Keith Matthee and Izak Smuts, and Professor Wiechers of the University of South Africa. On doing so he stated that he was committed to 'a radical transformation' of the lack of human rights in Ciskei. This commitment led to what was undoubtedly the zenith of Gqozo's good deeds - the promulgation on 12 December 1990 of the Republic of Ciskei Constitution Decree, 45 of 1990, which enacted not only a new constitution for Ciskei, but also in its sixth schedule a bill of rights. The first schedule declared that the Republic of Ciskei was composed of the districts of Hewu (Whittlesea), Keiskammahoek, Mdantsane, Middledrift, Mpofu (Seymour), Peddie, Victoria East (Alice) and Zwelitsha, together with the seashore and territorial waters thereof. The constitution established two

[1] . Interview, Dr.H Kayser, East London, 8 Dec 2007 & Lt.Col.S.Pita, Braunschweig, 13 March 2008.
[2] . Interview, Lt.Col.Silence Pita, Braunschweig, 13 March 2008.

councils – the Council of State and the National Management Board (known colloquially as 'the Council of Ministers'). The legislative authority vested in the Council of State, whose chairman was the Head of State and the Commander-In-Chief of the armed forces. The executive authority vested in the Head of State, acting on the advice of the Council of State. The Council of Ministers had to advise the Council of State on policies concerning the administration of the departments of state. The members of both councils were chosen by the arbitrary decisions of the Head of State, and held office at his pleasure.[1]

The constitution also created for Ciskei an official seal, national flag, coat of arms and national anthem, Nkosi Sikeleli Afrika (God bless Africa). It provided further that the 'general rules of international law' would be an integral part of, and take precedence over the laws of Ciskei.

The sixth schedule to the constitution contained the bill of rights. It could not be amended or abolished by the legislative authority, unless such amendment became necessary for national security or public safety. The bill of rights was further entrenched by a provision in the constitution that any amendment to it would become law only if it were approved by not less than two-thirds of the votes in a referendum, conducted amongst all the citizens of Ciskei who had the right to vote – see Chapter 3.5.

It is amazing that the bill of rights, which was an extremely fair-minded, progressive and liberal measure, could have been enacted by what was to all intents and purposes a military dictatorship. It protected all the rights of every citizen of Ciskei - the right to life, dignity, equality before the law, a fair trial, privacy, personality, freedom of movement, thought, expression, association, peaceful political activity, education, employment, ownership of property, and also protection against arbitrary arrest and detention. There was, however, an interesting twist in the tail to the enactment of the bill of rights as it severely restricted the subsequent actions of Gqozo.

During the early part of his rule Gqozo was embittered towards Lennox Sebe and intent on depriving him of his whole estate. This attitude may well have been due to Lennox

[1] . The Republic of Ciskei Constitution Decree, 45 of 1990.

having limited his progress in the CDF when he sent him to Pretoria as military attaché for two years. However, once Gqozo as ruler had experienced the same setbacks as Sebe had, his attitude towards the former ruler mellowed and he allowed him, if he so wished, to return to Ciskei. Gqozo did, however, when he disbanded the Elite Unit in the Police Force, have Lennox's son, Kwane Sebe, charged with having in 1989 ordered the bombing and burning of a house near Peddie and a bottle store in Keiskammahoek. Kwane was sentenced to 21 years imprisonment and when he subsequently applied to the TRC for amnesty, his application was refused.[1]

The outcome of Sebe's estate after Gqozo's coup was governed by Proclamation 6 of 1990 – later renamed Decree 3 of 1990 – issued on 14 March 1990. It established the State Trust Board, which had to investigate the assets of 'affected persons,' who had been involved in financial deals with Sebe's government, and determine which of their assets should be returned to the state. Advocate A.Theron was appointed the chairman of the Board and Advocate D.J.Taljaard its investigating officer. The Decree declared Lennox Sebe, his wife Virginia, his son Kwane, the National Independence Party and the Ciskei National Independence Fund to be 'affected persons.' Later the names of others, who had received farms from the state, were added to the list.[2]

In an attempt to amicably resolve the issues concerning the assets of the Sebe family, Theron and Taljaard met with Lennox Sebe's attorneys in Pretoria. The negotiations led to a settlement agreement being drafted whereby Lennox would return to the state his houses and properties in Hamburg (Erf 525), President Park, Bhisho (Erf 1367), the occupational right on Allotment 35, Jan Tshatshu, and 162 erven in the village of Braunschweig (on the farm Zanemvula). Sebe would retain his movable property.[3]

On the day that Theron and Taljaard presented the draft settlement agreement to the Council of State for its approval, an attorney from Cape Town, Cyril Prisman, who had been called in by Gqozo and whom the two advocates had never seen or heard of before, appeared on the scene. He addressed the Council of State and advised it not to

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[1] . Stiff, *Warfare*, 446.
[2] . Decrees 3, 5, 6 & 8 of 1990.
[3] . Interview, Advocate A.Theron, East London, 6 Dec 2007.

accept the settlement. Gqozo now, for the first time, exhibited another personal tendency that was to dominate his rule, namely, the acceptance of the advice of his own personal agents to the exclusion of the advice and guidance of everyone else. He rejected the settlement and stated that he 'despised being misled' by those who were supposed to be working for him.[1]

Not surprisingly, Theron and Taljaard resigned from their positions on the Board. They were not only capable and conscientious advocates, but had also put a great deal of thought and effort into securing the settlement, which they believed was fair and just to all parties. Although Gqozo subsequently apologised to Theron and asked him to withdraw his resignation, which he did, the matter was thereafter taken over by the legal adviser, Attorney Malcolm Webb, who eventually settled the issues relating to the Sebe family on the same terms as those in the original settlement agreement.[2]

When referring to the progressive legislation that Gqozo enacted, mention must also be made of the Public Defender Decree, 19 of 1991, which provided legal aid by the state to indigent persons in criminal trials. When the scheme became operative in 1991, Attorney Russell Linde was appointed Public Defender.

During September/December 1990 Gqozo became embroiled in efforts to regain the re-employment of Ciskeian colliers who had been dismissed from the KwaZulu-Natal coal mines due to ethnic clashes that occurred there between Xhosa and Zulu miners. His efforts reflected not only his concern for his citizens, but also his willingness to go the extra mile for them, even if he had to apologise for what had happened previously.

Since the inception of the collieries in the erstwhile Natal there had been rivalry and violence between the various ethnic groups employed by them. In 1920 the Xhosa and Zulu miners clashed at Hlobane Colliery, leaving sixty injured; in 1973 Xhosa and Sotho miners fought at the Durban Navigation Collieries at Durnacol and Northfield, leaving nineteen dead; in 1976 the Xhosas and Malawians attacked one another at Hlobane Colliery, and in 1986 violence erupted between the

[1] . Interview, Advocate A.Theron, East London, 6 Dec 2007.
[2] . Interview, Attorney Malcolm Webb, East London, 16 Jan 2007.

Xhosa and Zulus at the same colliery, which killed eleven miners. In these clashes, in addition to those killed, many were injured.[1]

The Xhosa on the mines were not so much a united people as a language grouping within which Pondo, Bacha, Ciskeians and others had identities of their own. They belonged to the National Union of Mineworkers (NUM), which was pro-ANC. As the Xhosa had acquired the reputation of being good machine operators, they filled most of the semi-skilled posts on the mines. This led them to believe that they were superior to the Zulu, whom they denigrated. The friction between the two groups was exacerbated by the formation of a new trade union, the United Workers Union of South Africa (UWUSA), which was not only pro-Buthelezi and the Inkatha Freedom Party, but also opposed the ANC.

Soon after Nelson Mandela was released from prison in February 1990, Zulu/Xhosa tension burst into violence throughout Southern Africa and hundreds died in Transvaal, Natal, KwaZulu, and on the Reef. His release also led to Xhosa miners in Natal taunting their fellow Zulu miners. They disparaged Inkatha and KwaZulu generally, and added that King Goodwill would soon be sweeping the floors of Mandela, and Buthelezi cooking his food. They referred disparagingly to Inkatha as 'Inkanda,' which means a penis.

By September 1990 the Zulu miners could take no more of these jibes. At Durnacol Colliery they armed themselves and were so intent on attacking the Xhosa colliers that 1000 of the latter from Transkei and 380 from Ciskei were for their own safety bussed home on 17 September 1990. When they attempted to return to Durnacol on 4 October, the Zulu miners armed themselves again and the Xhosa had no option but to once more return to their homes.

On 15 October 1990 the Zulu workers at Hlobane Colliery attacked their Xhosa colleagues as they slept, killing ten (one more died of his wounds) and seriously injuring fifty. 450 Xhosa were immediately bussed to their homes. Simultaneously the Xhosa miners at Vryheid Coronation, Langridge and Romad Collieries in Natal were also bussed home.

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[1] The information on the ethnic clashes on the Natal collieries has been gleaned from a telephonic interview with Norman Goodes (Human Resources Manager at Hlobane Colliery in the 1990s) at Newcastle on 2 May 2008, and two works on the history of the collieries - *The Constancy of Change:A History of Hlobane Colliery* by Professor Ruth Edgecombe (1998) and *Durnacol: The Story of Durban Navigation Collieries* by Anthony Hocking *(1995).*

In the aftermath of these conflicts the South African government convened a committee, comprising the homeland leaders and representatives of the mine managements, which met on 9 November 1990 in Pretoria under the chairmanship of the Minister of Foreign Affairs, Pik Botha. At the meeting Gqozo took up the cudgels on behalf of the Ciskeian miners who had been dismissed and sent home. In its report the committee announced that subject to Ciskei and Transkei apologising to the Zulu, the dismissed miners would be re-employed on 1 December 1990.

On 21 November 1990 Gqozo and Chief Buthelezi attended a mass meeting of miners at Durnacol Colliery. The large audience listened respectfully to Buthelezi, but when Gqozo stood up to speak they all walked out. Only after frantic Inkatha lobbying did they return. Gqozo told the meeting that he had come 'with cap under arm,' and that all Ciskeians regretted the insults that had been made. He hoped that the Zulu would forgive and forget, and allow the Ciskei miners to return. The Transkei delegation refused to apologise.

Despite all Gqozo's efforts and his willingness to eat humble pie on behalf of the Ciskeians who had lost their jobs, the latter could not return to the mines in Natal. The Zulu miners had now become totally xenophobic, and insisted that only Zulu be allowed to work in Natal. Two Xhosa miners who were re-employed on Durnacol Collieries had to leave when they received death threats.

Gqozo's concern for the Ciskei miners who had been dismissed, and his willingness to walk the extra mile in an attempt to regain their employment, is yet another example of the good governance he displayed in his halcyon days.

Brigadier Gqozo was so correct and proper in everything he did during the infant months of his rule that he appeared to international observers, and even to his own people, to be a knight in shining armour. It is not surprising that during this time he was inundated with laudatory praise from all and sundry. Unfortunately, apart from those initial months of his rule, Gqozo never won the hearts of his people, let alone their admiration or respect. The reason for the citizens' distrust of Gqozo lay not only in his poor governance, and determination to be aloof from them, but also in the lack of the requisite of Xhosa culture that a ruler should be known to his people. Gqozo had been brought up in the Free State and Northern Transvaal, and was, beyond the precincts of the CDF, an unknown entity in

Ciskei. He also had no royal blood in his veins. The people would say: 'Who is this young boy? Where does he come from? We do not know him.'[1]

Thus we see that 1990 may well be described as the halcyon period of Brigadier Oupa Gqozo's rule. He orchestrated many good deeds during this period: the constitution, bill of rights and labour regulations, to mention but a few. He was in favour and got on well with the leaders of the ANC alliance who were prepared to nurture him, and he was riding a wave of adulation of his own people. By the end of the year, however, the honeymoon was over and difficult times lay ahead.

[1] . Interview, S.M.Tanana, East London, 27 Sep 2007.

CHAPTER 3.1

A CHANGE OF ATTITUDE : OCTOBER AND NOVEMBER 1990.

Mluleki George, the President of the UDF from 1986 to 1992 and later the South African Deputy Minister of Defence, is amazed that Brigadier Gqozo did not experience a flourishing reign. He maintains that when Gqozo came to power on 4 March 1990, the ANC embraced him; so much so that of all the homeland leaders he had the best opportunity of ruling successfully. Gqozo was at the beginning of his governance well disposed to the ANC and the other liberation movements. He appeared under their banners on platforms at Bhisho, Mdantsane and Peddie, and was on friendly terms with Nelson Mandela, who congratulated him on having freed his people from the yoke of Lennox Sebe. Both Gqozo and the ANC were only too happy to co-operate with one another.[1]

By the end of 1990, however, this friendly relationship of bon-homie and back-slapping had changed and Gqozo was now at loggerheads with the ANC and its allies. He accused the ANC of committing crimes against Ciskei and of wanting to overthrow him and his government. As the overwhelming majority of Ciskeians were followers of the ANC, Gqozo's belligerence toward it alienated him from his own subjects. Let us examine what caused this volte-face in his attitude to the parties of the liberation movement.

Both Advocate Keith Matthee, the Minister of Justice, and Dr Henk Kayser, the Minister of Health, constantly warned Brigadier Gqozo that as his government was illegitimate, he should tread warily with both the South African government and the liberation movements and remain in their good books until at least Ciskei was reincorporated into South Africa. Gqozo ignored their advice and seemed determined to confront the ANC, which perspective undoubtedly hastened his downfall.[2]

On 2 February 1990 President F.W.de Klerk astounded South Africa by announcing

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[1] . Interview, Mluleki George, King William's Town, 25 March 2008.
[2] . Interviews, Advocate Keith Matthee, Grahamstown, 8 Feb 2007, & Dr Henk Kayser, East London, 8 Dec 2007.

that Nelson Mandela would be released from prison, the ANC, PAC, SACP and UDF would be unbanned, and the South African government would commence negotiations to introduce a new constitution based on universal suffrage. Nine days later Nelson Mandela walked out of prison to lead the ANC. The demolition and reconstruction of the South African political landscape had begun.[1] In May 1990 the South African government granted indemnity to all freedom fighters, who could then legitimately re-enter the country. This was followed by the ANC renouncing the armed struggle in August 1990.

Although these steps should have ended the war between the SADF and the liberation movements, it did not. The South African security forces still regarded their old foes, the ANC alliance, as their enemy and an unacknowledged conflict continued. Proof of this on-going conflict is reflected in a document drafted in East London in 1991 by the commanding officer of Group 8 of the SADF, Colonel Phillip Hammond, which was tendered as evidence to the Truth and Reconciliation Commission during April 1996. In it Hammond stated that despite their legality the ANC, PAC, SACP and COSATU were still at that time (1990/1991) regarded as 'the enemy.' He believed their aim was to 'take over the government of South Africa by negotiations, whilst retaining the ability to violently overthrow it.' He recommended the use of special operations in those independent homelands where the ANC had a strong presence.[2]

Although there may have been some justification for this attitude in respect of the PAC, which through its armed wing APLA continued attacking soft civilian targets until December 1993, there was none in respect of the ANC, which had publicly ceased its armed struggle.[3]

The South African security forces now desperately sought a foothold in one of the homelands in order to have a base which could not be linked back to Pretoria. Ciskei seemed ideal for this venture as agents based there could also be used to act against

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[1] . Omer-Cooper, *History of Southern Africa*, 243.
[2] . *Daily Dispatch*, 16 April 1996.
[3] . Stiff, *Warfare*, 425.

Transkei and its pro-ANC and pro-PAC leader, General Bantu Holomisa.[1]

The desire for a foothold in a homeland set the stage for the clandestine entry into Ciskei of South African intelligence agents, under the guise of the organisation styled International Researchers-Ciskei Intelligence Service (IR-CIS). Major Ted Brassel, who had settled in East London after retiring from the SADF, knew Brigadier Gqozo well. He was asked by the South African Directorate of Covert Collections (DCC) to approach Gqozo. He did so and suggested that the Brigadier set up his own civilian-run intelligence unit, the IR-CIS, which would be manned by retired military officers. Brassel no doubt suggested to Gqozo that the National Intelligence Service (NIS) could not be trusted, and that he would be better off with an intelligence unit under his own personal control. Its employees would owe total allegiance to Gqozo only, and he would then no longer be looking over his shoulder at Pretoria and the NIS. Gqozo did of course not know that the agents of the proposed organisation would be members of the SADF intelligence establishment, whose interests they would be serving. The IR-CIS would be nothing more than a surrogate of the SADF's military intelligence.

Brassel's suggestion appealed to Gqozo, whose abiding paranoia of assassinations and coups overwhelmed his outlook on life. He was even more amenable to the plan when it was suggested that ex-Commandant (Colonel) Jan Anton Nieuwoudt should run the organisation. Gqozo knew Nieuwoudt well as the latter had been his instructing officer in 1978, when he was a member of 21 Battalion in the SADF at Lentz. They had become good friends. Gqozo accepted Brassel's story that Nieuwoudt had retired from the SADF, which was not true. He was in fact at the time a Commandant and Second-in-Command at the terrorist desk of the DCC.[2] The DCC arranged the so-called retirement of Nieuwoudt from the SADF, but this was only a sham for him to go under cover as an agent of IR-CIS. To reinforce this ploy he was paid a retirement package of R46 922, 28.[3]The Director General of the Council of State duly offered Nieuwoudt an appointment as 'a civilian intelligence adviser,' and his contract was signed by the Head of State, Brigadier Gqozo. Nieuwoudt was joined at the IR-CIS by Brassel, who had come out of retirement, and

[1] . *Daily Dispatch*, 16 April 1996.
[2] . Stiff, *Warfare*, 472 & Interview, Louise Flanagan, Johannesburg, 28 Dec 2007.
[3] Stiff, *Warfare*, 472.

Clive Brink, another South African military intelligence officer. Further members of the shadowy group were Warrant Officer Vuyo Melane, Warrant Officer Barnes, Riflemen Notshe and Mbonisa (all of the CDF), former police Colonel Mabandla Mbejeni and Charles Wana.[1] The IR-CIS first operated from a house in Gonubie, then from the farm Blacklands, and later from House 14 in the Ministerial Complex, Bhisho.

Years later its members admitted that its object was to turn Gqozo against the ANC. In an action Nieuwoudt brought in the Supreme Court, Pretoria in November 1993, in which he sued the SADF for R1,27 million for wrongful dismissal, he admitted having been in the employ of the SADF continuously from 1970. This statement was an admission that he was, whilst serving as an agent of IR-CIS, an employee of the South African government. In an answering affidavit the SADF also admitted that Nieuwoudt had been one of its 'agents' in Ciskei[2].

In October 1990 Gqozo introduced two white men to the Council of State. He told the council that they were members of his own personal intelligence unit formed to advise him on covert issues, and that everyone should co-operate with the unit. Although no one could remember their names, the two men must have been from the trio of Nieuwoudt, Brink and Brassel.[3]

The wide-ranging interests of Anton Nieuwoudt and Clive Brink were reflected by their conspicuous absence from the offices of the IR-CIS immediately before, and on 22 November 1990, the day of the attempted coup by Colonel Craig Duli in Transkei. There is little doubt that they were actively involved in that affair. This is borne out by a memorandum from DCC to Head of Intelligence Services, which reads as follows —

27 November 1990.

From: Director Covert Collections.:

[1] .Interview, Louise Flanagan, Johannesburg, 28 Dec 2007.
[2] *Daily Dispatch*, 18 Nov & 11 Dec 93, Interview, Louise Flanagan, Johannesburg, 28 Dec 2007.
[3]. Stiff, *Warfare*, 473.

To : HIS.

The objective of this memorandum is to obtain authority to purchase communications equipment.

During the failed coup in Transkei, Brigadier Gqozo as well as Mr. Nieuwoudt were kept informed of activities. Mr. Nieuwoudt kept this Directorate continually informed telephonically. This method of communication is unsafe. Therefore a safer means of communicating is required. Due to the above a fax machine is considered to be the best means of communication.....

Signed: J.J.Botha (Brigadier).

Approved and signed : R (Witkop) Badenhorst (Lieutenant General)'[1]

After news of the failed coup in Transkei came through, Clive Brink was almost in tears because he claimed that the SADF had not intervened as promised. He lamented that he had lost a 'dear friend' in Colonel Craig Duli, who was killed in the attempted coup.[2]

From the time of its establishment in Ciskei - September/October 1990 - the IR-CIS fed Gqozo with disinformation of a 'total onslaught' campaign of coups and assassinations against him. According to the unit the ANC Alliance, Charles Sebe, Iliso Lomzi and the NIS were plotting, jointly and severally, to kill him and overthrow his government in a coup d'état. In turn Gqozo began to submit regular intelligence reports to this effect, of unknown origin, to the Council of State. His ever-increasing paranoia became a standing joke in intelligence circles in the CDF. Officers would, especially on Friday afternoons, run around shouting: 'They are coming. They are coming!'[3]

A bundle of extraordinary and amateurish secret reports compiled by the IR-CIS in 1991, came to light in 1995. The numerous reports, allegedly based on covert sources, shebeen-talk and second-hand information, revealed the unit's obsession with coup plots and assassinations. According to one report Chris Hani had met the fired head of the CDF, Brigadier Andrew Jamangile, in March 1991. Another report claimed that the

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[1] . Stiff, *Warfare*, 474.
[2] . - do - , 474.
[3] . - do - , 474.

leader of Transkei, Major General Bantu Holomisa, was plotting with dissidents against Ciskei. By 18 July 1991 the IR-CIS had also linked both President F.W.de Klerk and the Border Council of Churches to the plots. Contralesa too was accused of plotting the downfall of Gqozo. It would allegedly ask President F.W.de Klerk to remove Gqozo. According to the IR-CIS an ANC plot, called Operation M-Net, was giving crash courses in Mdantsane, which would lead to the overthrow of the Ciskei government. One report, using 'sub-source township gossip,' claimed that Umkhonto weSizwe soldiers, duly assisted by Kwane Sebe, who had now allegedly switched sides, were going to assassinate Gqozo.[1]

When testifying before the Truth and Reconciliation Commission the ex-Ciskei Minister of Foreign Affairs, Malcolm Webb, stated: 'The cross-fertilisation of mystery and intrigue would have done justice to a best-selling suspense novel. At the time it was serious business conveyed with urgency in clandestine calls and covert messages.' He continued that when these reports were made the Ciskei government wanted to prevent a possible invasion, destruction of property and an insurrection, and that is why before the Bhisho Massacre promises of a peaceful and controlled march could not be sustained.[2]

The disinformation had no foundation and its sole purpose was to turn Gqozo against the ANC and its allies. The IR-CIS succeeded in its objective and Gqozo refused to listen to any advice to the contrary, nor would he accept intelligence reports from his own security forces.[3] To quote a Xhosa proverb, he was 'turning up for himself a mass of red ants.'[4]

The then South African Minister of Foreign Affairs, Pik Botha, states that although his department was aware of the presence of Nieuwoudt and the other agents of IR-CIS in Ciskei, it assumed that they no longer had any connection with the SADF. According to Botha his department believed that they had been dismissed from the SADF and that the latter was glad to be rid of them. Had his department known the true position, it would, in view of President de Klerk's undertaking that covert exercises had ceased and the delicate political situation in Southern Africa at the time, have taken steps to remove the IR-CIS and its agents from Ciskei.[5]

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[1] . *Daily Dispatch*, 6 Feb 1996.
[2] . *Daily Dispatch*, 11 Sep 1996.
[3] . Interview, General Z.Makuzeni, East London, 18 Jan 2007.
[4] . J.H.Soga, *The Ama-Xosa : Life and Customs* (Lovedale, 1931), 344.
[5] . Interview, Pik Botha, Pretoria, 28.12.07.

Minister Botha's protestations that the political leaders of the South African government were ignorant that the 'dirty tricks' campaign that was being waged at the time – 1990 to1992 - emanated from their own structures, is hard to accept. This issue is discussed in detail in Chapter 2.2, where it is opined that the members of the South African cabinet were aware not only of the destabilisation that was taking place, but also that it was being orchestrated and driven by their own institutions.

In April 1991 the Minister of Police, General Zebelon Makuzeni, in an affidavit to the Supreme Court of Ciskei in a case concerning three disaffected CDF officers, confirmed the existence of security personnel operating under the title International Researchers. In the same case Warrant Officer Vuyo Melane described in an affidavit how the organisation operated. The Presiding Judge, however, ordered that the relevant sections of his affidavit be struck out as they were classified as state secrets. Despite the court's order an intrepid reporter of the *Daily Dispatch*, Louise Flanagan, published a full report in her newspaper on the deleted sections. It is surprising that this action did not have legal repercussions as, despite the newspaper being published outside Ciskei, it was, as is the case today, widely circulated in Ciskei.[1] The affidavits by General Makuzeni and Warrant Officer Melane were indicative of the growing dissatisfaction exhibited by the Ciskei security establishment concerning the nefarious actions of the IR-CIS.

In her article Ms Flannagan revealed the obsession of the IR-CIS with 'coup plots and assassination threats.' She stated that according to the reports it was submitting to Gqozo, the ANC, its armed wing (Umkhonto weSizwe), the head of the SACP (Chris Hani), the head of Transkei (Major-General Bantu Holomisa), the Chief of the CDF (Brigadier Andrew Jamangile), the Border Council of Churches, and even the State President of South Africa (F. W.de Klerk), were all conspiring with one another to assassinate Brigadier Gqozo, or to overthrow both him and his government. These reports by the IR-CIS were undoubtedly food for Gqozo's paranoia.[2]

[1] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.
[2] . *Daily Dispatch*, 7 Nov 1995.

In a subsequent Supreme Court case, presided over by the author, Colonel Gerrie Hugo claimed damages for wrongful dismissal from the CDF. During the trial Hugo repeated his allegations of the 'dirty tricks' campaign by Nieuwoudt and his colleagues. He testified that when he started work as Gqozo's military intelligence adviser in 1990 Gqozo was 'completely in line' with the transition process in South Africa, and that he was sympathetic to the ANC alliance. His attitude changed when the IR-CIS, with its two principal agents, Nieuwoudt and Brink, arrived. They manufactured evidence of a 'total onslaught' campaign against him. He continued that it was the IR-CIS that fabricated the false story of a pending coup that would lure General Charles Sebe and Colonel Onward Guzana to Ciskei and their deaths – see Chapter 3.2. Nieuwoudt and Brink also fabricated in February 1991 an attempted coup by the top structure of the CDF, which led to the dismissal of the majority of the senior officers in the CDF – see Chapter 3.3. Hugo confirmed that Gqozo never realised that the IR-C1S was a front for SADF Intelligence.[1]

In addition to the false reports Gqozo was receiving from the IR-CIS, he was a!so being placed under severe pressure by the ANC and the South African government, both of whom were vying for his support. Members of the ANC were continually calling upon him and demanding that he act in respect of certain matters. Representatives of the South African government were doing the same.[2]

During October 1990 Brigadier Gqozo echoed the voice of the regime he had overthrown by stating that Radio Ciskei was the mouthpiece of the Ciskei government and not a private company.[3] Later that month he told the press that he wished to represent Ciskei at the negotiating table for the new South Africa. 'I envisage a situation at the negotiating table where Ciskei can articulate my view of the future dispensation that the region wants, which is regional status in a federal system.'[4]

In view of the misinformation Gqozo received and his resultant fear, it is not surprising that in November 1990 he informed the Council of State that he had changed his policy to one which was now anti-ANC. He said that the ANC was behaving as if it was running

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[1] . *Daily Dispatch* , 9 Feb 1996.
[2] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.
[3] . *Daily Dispatch*, 3 May 1993.
[4] . - do - , 30 Oct 1990.

the country, but that he would show it that he was in charge of Ciskei.[1] In the same month he wrote a strongly worded letter to the convener of the ANC in the Border Region, accusing him and his colleagues of acting against the interests of Ciskei. He accused them of inciting the people to reject and attack traditional leaders, and of playing a leading part in the on-going civil servants' strike.[2] On 8 November 1990 Ciskei security forces evicted hundreds of striking nurses from the Cecilia Makiwane Hospital in Mdantsane, where they were demonstrating for parity of wages with their counter-parts in South Africa.[3] By the end of 1990 Gqozo and the ANC were in different camps. There could be only one loser in this confrontation!

On examining the facts of this period of Gqozo's rule two conclusions seem obvious. The first is that although Gqozo may not have realised that he was being misled by the IR-CIS, he cannot be exonerated from blame for their 'dirty tricks' campaign, of which he was well aware. An example hereof is his knowledge that Anton Guzana and Charles Sebe would be lured into Ciskei on false reports of a coup. Further confirmation of this conclusion is found in the fact that Gqozo would never discuss these matters with his personal friend, the Minister of Health, Dr Henk Kayser. He appeared to be ashamed of what was happening and would side-step the issue by saying: 'You don't want to know about that'[4] The second conclusion is that the SADF was using Ciskei, both directly and indirectly, to fight the ANC and the pro-ANC government of Transkei.

[1] . Stiff, *Warfare*, 475.
[2] . Stiff, *Warfare*, 475.
[3] .*Daily Dispatch*, 9.11.90.
[4] .Interview, Dr Henk Kayser, East London, 8.12.07.

CHAPTER 3.2.

THE KILLING OF ONWARD GUZANA AND CHARLES SEBE : 27 & 28 JANUARY 1991

The name of General Charles Sebe, the half-brother of President Lennox Sebe, runs like a luminous thread through the fabric of the history of Ciskei in the eras of both Lennox Sebe and Oupa Gqozo. As has been described in Chapter 1.3, Charles was, as head of the Central Ciskei Intelligence Service, a very powerful man in Ciskei; many thought he was running the country. When, however, he over-stepped the mark in 1983, he was charged with treason and sentenced to 12 years imprisonment. During the night of 25 September 1986 he was sprung from the Middledrift Prison by members of the SADF and taken to Mthatha. There he became head of the Ciskei resistance movement, Iliso Lomzi, with the avowed object of unseating President Lennox Sebe. This chapter deals with his untimely death.

The other leading personality in the episode of this chapter, Colonel Onward Guzana, was, at the time of the army coup d'état that overthrew Lennox Sebe on 4 March 1990, the Senior Officer, Personnel, and head of the Air Wing of the CDF. He became a member of the four-man executive committee established by the leaders of the coup. In May of the same year, due to a disagreement with Gqozo, he was charged with plotting a coup against the government. When released on bail, he fled to Transkei.[1]

Soon after coming to power Gqozo became paranoid about not only his own safety, but also about a possible coup against Ciskei by, amongst others, Charles Sebe and Iliso Lomzi. It is therefore not surprising that Gqozo readily agreed with the suggestion of the agents of the IR-CIS, Nieuwoudt and Brink, that as Charles and Guzana were a threat to Ciskei, they should be lured into the country and then captured, or even killed. This would be done by informing the two dissidents that the army would on a specific day stage a coup and overthrow Gqozo and his government, and that they should then be in Ciskei to take over the leadership of the government and the army.[2]

Once Gqozo had approved the plan, code-named 'Holy Communion,' Nieuwoudt and

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[1] . Chapter 2.3.
[2] . Interviews Gen.Z.Makuzeni, East London, 18 Jan 2007 & Louise Flanagan, Jhbg. 28 Dec 2007.

Brink enlisted the services of a former CDF officer, Lieutenant Colonel Mlandeli Kula, who had been dismissed from the army and was living in Fort Beaufort, to carry out their plans. In mid-January 1990 he and Lieutenant Colonel Hlopeki Poyo, the CDF's Welfare Officer, travelled to Mthatha where they told Charles and Guzana that a coup would take place and that they should come to Ciskei so that Charles could take over the reins of government, and Guzana the army. They arranged to meet with Charles and Guzana again at Ezibeleni on 18 January 1991, where final arrangements would be made. Nieuwoudt believed that as Charles and Guzana knew that Kula had been discharged from the CDF, they would accept his credibility. Guzana was reluctant to come to Ciskei, but Kula and Charles won him over to the plan. Charles, on the other hand, had always aspired to one day governing Ciskei and he needed no encouragement to accept the offer. At the second meeting in Ezibeleni they were informed that the coup would take place on the night of 26/27 January 1991, and that two members of the army would rendezvous with them at 2:00 on that night at a big tree outside Stutterheim. The soldiers would then lead the way to a victorious reception in Bhisho.[1]

On 26 January Nieuwoudt arranged for road blocks to be set up that night on the three roads leading from Stutterheim to Bhisho: via King William's Town, Frankfort and the Komga road, respectively.[2]

During the afternoon of 26 January, at the headquarters of the IR-CIS in the ministerial complex at Bhisho, Nieuwoudt briefed his fellow-agents and certain CDF officers. Present were Nieuwoudt, Brink, Brasssel, Lieutenant Colonels Zantsi, Naka, Kula, and Poyo, and Sergeant Major Melane. Nieuwoudt informed them about the phantom coup and what parts they would play in the arrest of Guzana and Charles. Nieuwoudt already knew that Charles and Guzana would be travelling in a red Volkswagen Jetta, with SW registration plates. After the meeting at the ministerial complex the senior members of the CDF and the agents of the IR-CIS moved to the palace where they met Gqozo and other officers of the security forces. Whilst they were there the telephone rang and Kula spoke to Charles and made final arrangements about being met at Stutterheim later that night.[3]

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[1] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007, & Goodenough, *Borderline*,109.
[2] . Stiff, *Warfare*,.477.
[3] . Interview, Lt.Col.L.Naka, Bhisho, 14 May 2007.

On the same afternoon the then Commissioner of Police, General Zebelon Makuzeni, was summonsed to the palace. There he met Brigadier Gqozo and the second-in-command of the CDF, Lieutenant Colonel Silence Pita. Gqozo told Makuzeni that Charles and Guzana had been informed that the army would carry out a coup during the night and that they should come to Ciskei to take over the government and the army. He added that Makuzeni need not be concerned as it was simply a phantom coup, which had been invented to lure the two men into Ciskei. He also spelt out to Makuzeni the details of the rendezvous outside Stutterheim, and of the roadblocks which would be set up between Stutterheim and Bhisho to intercept Charles and Guzana.[1]

The next to arrive at the palace were Brigadiers Marele and Nonhonho of the Ciskeian Police Force, who were also told of the ruse. They were followed by Nieuwoudt and Brink, who repeated to Makuzeni what Gqozo had told him. Then Kula and the Chief of Staff, Intelligence, Lieutenant Colonel Zantsi, who was dressed in uniform, and Lieutenant Colonel Naka and other members of the CDF arrived. The last to make his appearance was the Chief of the CDF, Brigadier Andrew Jamangile, who was dressed in a black striped suit and appeared to be ignorant of the day's events. The pending operation was discussed once more and the question was raised whether Guzana and Charles should be captured or shot. Brigadier Gqozo was adamant that they be shot as they were a danger to Ciskei and could not be held in captivity.[2]

Everyone, except those who had to man the roadblocks, remained at the palace and no one was allowed to leave or use a telephone. At about 1:00 on 27 January Lieutenant Mguzulwa and Sergeant Ralo left to rendezvous with Charles and Guzana at the tree outside Stutterheim. The lights of the palace were switched off as a precautionary measure in case Charles and Guzana had accomplices in Bhisho.[3]

Shortly after 2:00 those at the palace heard Brink shouting over the radio: 'Contact! Contact!' and gunfire in the background. What happened at the roadblock has been described by Lieutenant Colonel Naka and confirmed, in apt journalistic phraseology,

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[1] . Interview, Gen. Z. Makuzeni, East London, 18 Jan 2007.
[2] . - do - & Interview, Lt.Col.L.Naka, Bhisho, 14 May 2007.
[3] . Interview, Gen.Z.Makuzeni, East London, 18 Jan 2007 & Goodenough, *Borderline*, 107.

by Patrick Goodenough as follows:[1]

> Darkness: at the roadblock no-one speaks. The tension is tangible. In the gloom a cigarette-end glooms briefly and the stillness is broken by an impatient cough. Finally they hear it. A quiet hum, growing. Far away two pin-pricks of light flicker in the pre-dawn gloom, like the eyes of some tiny night animal. A short way behind are another two. The hum picks up, the lights brighten.
>
> Soon the first car approaches, and roars past the tense soldiers, unchallenged. Then the second, a Volkswagen Jetta, is upon the roadblock. Someone opens fire, a longer burst follows, and more weapons join in. Into a radio microphone a voice screams: 'Contact! Contact!' The car, with one tyre shot to ribbons, slews 200 metres further before leaving the road, smashing through a fence, and coming to a stop in the sun-scorched veldt. In the driver's seat a man is slumped over the wheel, a cocked pistol nestled in his lap. Mangwane (Onward) Guzana is a tall, good-looking man with a military bearing. His lively eyes will not smile again.
>
> All that remains of his passenger is a pair of reading glasses lying on the back seat of the crippled vehicle. Charles Sebe has slipped away, bleeding into the thick bush and into the night.

Later that morning General Makuzeni went to the scene of the shooting, where he viewed the body of Guzana. Nothing ever came of the so-called coup on that night.

The CDF now took up the search for Charles. A reward of R5000 was offered for information leading to his arrest. Charles managed to evade his pursuers until the next morning, 28 January 1991, when a village headman, Jesa Dwashu, telephoned Ciskei 1 Battalion and reported that Charles was hiding in a shop behind his house in Gubevu village.[2]

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[1] . Goodenough, *Borderline,* 107 & Interview, Lt.Co.L.Naka, Bhisho, 14 May 2007
[2] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007, & Stiff, *Warfare,* 489.

In his work, *Warfare by Other Means*, Peter Stiff states that soldiers of the CDF surrounded the shop and called on Charles to surrender and come out. Stiff continues that Charles came out naked, unarmed and seriously wounded, with his arms raised above his head. Sergeant Major Thozamile Veliti, a member of Gqozo's bodyguard, then, after having sought instructions from Gqozo by radio, raised his rifle and shot Charles, whereupon the rest of the patrol opened fire and riddled his body with bullets.[1]

Stiff gives the Gerrie Hugo papers as his authority for this version of the events at the shop. Two facts must, however, be borne in mind. The first is that as Hugo was not present when Charles was shot, his version is hearsay. The second is that the court in the criminal case in which Gqozo and Veliti were charged with the murder of Charles, which would have considered all the available evidence, was unable to determine what exactly happened when Charles was shot.

When the present author interviewed Sergeant Major Thozamile Veliti, he read to him Stiff's version in *Warfare by Other Means* of the killing of Charles Sebe. Veliti did, however, not wish to comment on what had been read to him.[2] When this version was put to Gqozo, he denied emphatically that Veliti, or anyone else, had contacted him before Charles was shot. Gqozo maintains that when the soldiers returned after having shot Charles, they informed him that they could not contact him as the radio was either defective, or could not reach him.[3] This sounds somewhat strange bearing in mind that during the early hours of the previous morning, from the same vicinity, the radio had functioned well.

Although the generally accepted version of how Charles Sebe was shot and killed is that given by Stiff, the only certain aspect about these events is that the headman received his reward!

The next day Gqozo told the press:

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[1] . Stiff, *Warfare*, 489.
[2] . Interview, Sergeant Major T.Veliti, East London, 17 Feb 2008.
[3] . Interview, Brig.Oupa Gqozo, Blacklands, 13 March 2008.

> People loyal to me fooled Charles into believing that he had their support. They wanted to trap him because he had caused the country a lot of misery.....I said search and destroy when you find him. So they did exactly that. It was an operation to take him out. I don't see why we should back down or even regret it……He was poison……..we blew him.[1]

On 3 February 1991 a statement by Gqozo was published in the Sunday Times in which he accused the ANC, the leader of the SACP (Chris Hani) and Major-General Bantu Holomisa of Transkei of having plotted a coup d'état with Guzana and Charles Sebe to topple him from office. He threatened to shoot Chris Hani if he ever entered Ciskei again. This statement upset the top brass of the CDF because they knew that it was the IR-CIS that had lured the two men to their deaths. No one believed that there had ever been a plot by any of the alleged conspirators.[2]

The death of Charles and Guzana caused a furore. All and sundry excoriated Gqozo for the cold-blooded killing, and the ANC and legal organisations demanded his resignation.[3] In an article, 'The Implosion of Transkei and Ciskei,' Professor J.B.Peires states: 'It is true that Charles had made himself very much hated in Ciskei, but the brutal and gratuitous nature of his murder shocked even his former enemies.'[4]

Soon after these events the Minister of Justice, Keith Matthee, wrote to Gqozo: 'The longer you cling onto power and the more enemies you make, the greater the risk of some future criminal charges against you - with murder a strong possibility - in a future South Africa.'[5]

Matthee insisted that an inquest be held by a judge of the Supreme Court of Ciskei into the circumstances of the deaths of Charles and Guzana. Gqozo was totally opposed to any investigation, let alone an inquest, and he was adamant that neither he, nor any soldier would testify on what had happened. Matthee's insistence that the inquest be held led to a souring of relations between Gqozo and the Minister, and the eventual

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[1] . Stiff, *Warfare*, 489 (*Sowetan*, 3 Aug 1993.)
[2] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007, & Stiff, *Warfare,* 504.
[3] . Goodenough, *Borderline,* 112.
[4] . *African Affairs* (1992), 91, 379.
[5] . Interview, Advocate Keith Matthee, Grahamstown, 8 Feb 2007.

dismissal of Matthee.[1]

Despite Gqozo's objections, an inquest was commenced in September 1991 before Mr Justice Claassens in the Supreme Court of Ciskei. It proved to be long and drawn out affair, which continued for two years. Gqozo, in repeated attempts to avoid testifying, tendered three affidavits containing his evidence. When Judge Claassens refused to accept the affidavits and insisted that he give evidence in person, Gqozo had the Council of State enact Decrees 5 and 10 of 1992, which provided that the chairman of the Council of State could not be compelled to give evidence in any criminal or civil proceedings, or at an inquest. Guzana's widow, however, applied to the Appellate Division of the Supreme Court of Ciskei to have the two Decrees set aside on the grounds that they were contrary to the provisions of the bill of rights that all people are equal before the law.[2] The Appeal Court agreed with Mrs Guzana's contention and it declared Decrees 5 and 10 of 1992 null and void, and of no force or effect. Gqozo was then compelled to appear personally and give evidence at the inquest. There is a full discussion of Mrs Guzana's application to the Appellate Division in Chapter 3.5.

Eventually, on 1 August 1993, Gqozo began testifying at the inquest. He would be in the witness box for eight long days. The doubts as to his mental ability, which were rife at the time, were put to rest by the confident and suave manner he deported himself whilst testifying both during examination-in-chief and cross-examination.[3]

In his findings at the conclusion of the inquest, which were handed down on 30 August 1993, Judge Claassens found that Charles had been murdered in cold-blood while unarmed, wounded and naked. He also found that a direct link existed between the orders Gqozo had given and the shooting of Charles by Sergeant Major Veliti, and that both Gqozo and Veliti were criminally responsible for the death of Charles. No finding could be made whether anyone was criminally liable for the death of Guzana, nor whether Nieuwoudt and Brink specifically were criminally responsible for the deaths. The judge did, however, state that both these gentlemen had told a 'pack of lies' under oath.[4]

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[1]. Interview, Advocate Keith Matthee, Grahamstown, 8 Feb 2007.
[2]. Reported in *S.A.Law Reports* as Guzana v. Council of State, Ciskei 1993 (2) SA 445 (CK AD)
[3]. Goodenough, *Borderline*,114 & *Daily Dispatch*, 2.8.93.
[4]. Record of the inquest & *Daily Dispatch*, 31 Aug 19.93.

Mr. Justice Claassens also found that Charles and Guzana had been planning to overthrow Gqozo, but that their plans had been hijacked by the IR-CIS. They had been 'on their way to Ciskei and self-glorification when they found out that they had made the biggest mistake of their lives. They were lured into a trap like lambs to the slaughter.' On the aspect of whether there had been a coup, or an attempted coup, on that night the Judge added:[1]

> Nieuwoudt and company knew there was no inside component (to the coup attempt) and knew there was no danger to any interested party in Ciskei. The trap was set for one purpose only: to rid the regime in Ciskei under Brigadier Gqozo of any further threat from Sebe and Guzana.

After the judge handed down his findings the ANC and numerous legal organisations were once again vociferous in their demands that Brigadier Gqozo resign as Head of State.[2] As the inquest had found that Gqozo and Veliti were criminally liable for the death of Charles, the Attorney-General charged them with murder.

At the murder trial Gqozo pleaded that he could not be arraigned due to the principle 'The king can do no harm.' The Presiding Judge, Mr.Justice W.H.Heath, rejected this argument on the basis that although the principle is part of English law, it is unknown to South African law, He placed Gqozo on his defence. This portion of the trial is discussed in detail in Chapter 3.5.

After the trial had run its course the court found Gqozo and Veliti not guilty of the murder of Charles. In its judgment it stated that there were two reasons why it could not find that Gqozo was, beyond reasonable doubt, guilty of the murder of Charles. The first was that it could not infer from the statements that Gqozo had made, both before and after Charles was shot, that he intended that Charles be shot and killed in cold blood. Gqozo could have intended, so the court held, that because Charles was known to be a dangerous man, if he turned violent, rather than a soldier be injured, he be shot.

The second reason was that because so many lies had been told by the witnesses about the events

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[1] . Record of Inquest & *Daily Dispatch*, 15 April 1996.
[2] . *Daily Dispatch*, 31 Aug 1993.

at the actual shooting of Charles, it was impossible for the court to determine what exactly transpired there. The soldiers who were present at the shooting, in an attempt to obfuscate the issue, were manifestly untruthful in their evidence. The Head of the CDF, Brigadier Andrew Jamangile, for instance, despite having been in charge of the operation to capture Charles, testified that when Charles came out of the shop he, Jamangile, walked away before Charles was shot! Not surprisingly the court rejected his evidence as being blatantly untruthful. The court could therefore not determine whether Charles had been shot due to Gqozo's instuctions, or by a soldier who was on a frolic of his own, and both Gqozo and Veliti were found not guilty and discharged.[1] Only Gqozo will know whether he was saved from being convicted by the principle of our law that in a criminal trial the guilt of an accused person must be proved 'beyond all reasonable doubt.' Had the standard of proof required been that applicable in a civil trial, namely, 'proof on a balance of probabilities,' the verdict may well have been different.

Two aspects of this sad episode are food for thought. The first is why Charles and Guzana were so gullible as to fall into the trap that had been set to lure them to Ciskei and their deaths. Surely they should have suspected that there was something rotten in the state of Denmark, especially when Lieutenant Colonel Kula, whom they knew to be a disgraced officer in the CDF, was sent to invite them back to Ciskei? Perhaps Charles was not as astute as some people believed. Colonel de Lange, who was then in the South African Security Police, East London, finds it difficult to fathom why Charles fell for the ruse. If de Lange had known what was happening he would have warned Charles not to return to Ciskei.[2]

The second aspect is: what motivated Gqozo to agree to have Charles and Guzana lured to their deaths? Were they really such a danger to Ciskei and, if so, was it necessary to have them killed? Furthermore, if they were such a danger, why were the other dissidents of Iliso Lomzi not also lured to Ciskei? It has been pointed out that two months earlier General Holomisa had earned a great deal of kudos for having thwarted an attempted coup in which Colonel Craig Duli was killed. Could that glorification have influenced Gqozo to have Charles and Guzana killed?

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[1] . Court judgment.
[2] . Interview, Colonel W.de Lange, East London, 11 Feb 2008.

In *Warfare by Other Means* Peter Stiff seems to imply that there would in fact have been a coup on the night that Charles and Guzana were lured into Ciskei. General Zebelon Makuzeni and Lieutenant Colonel Lalela Naka, both of whom were present on that night, are, however, adamant that no one intended a coup and that the so-called coup was simply a false fabrication of Nieuwoudt and Brink to lure the two dissidents into Ciskei. That there was no coup, or attempted coup, is substantiated by Gqozo's subsequent statements, and by the fact that there were neither any preparations for a coup, nor an attempted coup in Bhisho during that day or night. On the contrary, all was quiet and peaceful in Bhisho.

CHAPTER 3.3

THE PHANTOM COUP BY OFFICERS OF THE CDF : 9 FEBRUARY 1991.

By February 1991 the IR-CIS was well ensconced in the corridors of power in Ciskei. It had muscled the CDF intelligence service into the background and won the undivided confidence and attention of the Head of State, Brigadier Gqozo. He would listen to no one else and his own military intelligence had become irrelevant.

Not surprisingly the CDF did not take kindly to this state of affairs: its antagonism and animosity to the IR-CIS was common knowledge. The IR-CIS, on the other hand, was continually looking over its shoulder at the CDF, fully realising that the time would come when the latter would strike. In a nutshell, the CDF and IR-CIS were, if not physically, then at least psychologically, at one another's throats. Everyone wondered when the resultant physical set-to would eventuate. The field for this contest arose in February 1991.[1]

On 7 February 1991 32 Battalion of the SADF carried out a parachute jump at the old Bhisho Airfield. Although the exercise had been planned well in advance, and Gqozo knew about it, the Head of the CDF, Brigadier Jamangile, was only told about it on the day before it happened. While the purpose of the exercise remains, until this day, unclear, it was in all probability intended to demonstrate to the CDF hierarchy that the SADF, through the IR-CIS, was still in control.[2]

As Lieutenant Colonel Zantsi, the Head of Ciskei Military Intelligence, attended the parachute exercise, he sent his junior, Lieutenant Kleinbooi, to take his place at the daily meeting of the Council of State. Kleinbooi reported back that Gqozo was furious at the absence of his senior officers. He said that it was apparent that most officers had a negative attitude towards him and that they were either supporters or sympathisers of the ANC. He added that he was going to Pretoria to see the South African Minister of Defence, Magnus Malan, to obtain a new set of officers. He left for Pretoria that

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[1] . Interviews, Gen. Z.Makuzeni, East London, 18 Jan 2007, & Lt.Col.L.Naka, Bhisho, 14 May 2007.
[2] . Stiff, *Warfare*, 505.

afternoon.[1]

The senior officers of the CDF watched the parachute exercise and then retired to the officers' mess at Ciskei 1 Battalion for lunch. After lunch nine officers – Brigadier Monwabisi (Andrew) Jamangile (Chief of the CDF), Lieutenant Colonels Z.P.Zantsi (Chief, Military Intelligence), G.Mteti (Commander, Ciskei 1 Battalion) and L.Naka (Chief, Operations), Colonel Makuzeni (Chief of Staff), Major Mzayiya (Acting Officer in charge of Ciskei 2 Battalion), Captain M.Resha (Second-in-Command, Ciskei 1 Battalion), Lieutenants Manekwane (Acting Commander, Ciskei 1 Parachute Unit) and Ntantiso Kleinbooi - met in the office of Mteti at the base of Ciskei 1 Battalion. They drafted a petition calling upon Gqozo to resign as Head of State. Their main complaint was his day-to-day politicking and that he allowed himself to be manipulated by the IR-CIS. Another complaint was that whereas he had at the time of the coup d'état undertaken to hand over the reins of government as soon as possible to the Paramount Chief of the Rharhabe, Chief Sandile, and the Chief of the Mbele, Chief Mabandla, or to a civilian government, he now refused to do so. The petition would be typed and two copies thereof would be signed by eight of the officers present at the meeting. Colonel Makuzeni, the nephew of General Zeblon Makuzeni (the Commissioner and then Minister of Police), was for security reasons not asked to sign the petition as they feared that if he did so there could be a leak about what had happened. They agreed to hand one copy of the petition to Brigadier Gqozo when he returned from Pretoria, and to retain the other in case he destroyed the first copy. If Gqozo refused to resign they would decide on what further steps should be taken. They never discussed or agreed to launch a coup.[2]

On 9 February the officers were surprised to read in the *Daily Dispatch* that Brigadier Gqozo had sent to the newspaper from Pretoria a copy of a handwritten Decree to the effect that if anything happened to him the Chief Justice would be the stand-in Head of State. Despite the officers having tried to avoid this happening, there had obviously been a leak of their meeting.

Whilst the SADF was holding the parachute exercise on 7 February, two white men unloaded a large cache of weapons at the headquarters of the IR-CIS - House 14 in the ministerial

[1] . Stiff, *Warfare*, 505 & Interview, Lt.Col.L.Naka, Bhisho, 14 May 2007.
[2] . Interview, Lt.Col.L.Naka, Bhisho, 14 May 2007, & *Daily Dispatch*, 23 Feb 1991.

complex at Bhisho. Anton Nieuwoudt, Clive Brink and Warrant Officer Melane were present at the time. The cache included 50 AK 47 rifles, 7 rocket launchers and 7 SAM ground-to-air missile launchers. When Colonel Eugene de Kock of the South African Security Police subsequently testified before the Truth and Reconciliation Commission, he stated that the weapons were supplied at Nieuwoudt's request, duly approved by both the Directorate of Covert Collections and Brigadier Gqozo, from the stock at Vlakplaas.[1]

Shortly after the weapons were unloaded Lieutenant Kadefunwa Qamata and Staff Sergeant Ralo of Gqozo's bodyguard arrived on the scene. After they had been shown the weapons by Nieuwoudt, he admonished all those present not to tell anyone about the cache as it had been brought into Ciskei illegally. Warrant Officer Melane, however, became suspicious about the group's motives for bringing the weapons to Bhisho and he and Lieutenant Qamata reported their presence to Lieutenant Colonels Zantsi, Naka and Mteti. On 8 February the officers discussed the matter and decided to break into House 14 and move the weapons for safe keeping to the armoury at Ciskei 1 Battalion. They would show the weapons to the other officers and to the *Daily Dispatch*. Lieutenant Naka telephoned the parachute Unit at Bulembu and arranged for troops from there to report to Ciskei 1 Battalion, where they would assist should any difficulties arise.[2]

What the officers did not know was that when the agents of the IR-CIS heard that the weapons were to be removed from House 14, they capitalised on the situation and informed the troops that the officers intended using the weapons in a coup to overthrow Gqozo. The same message was conveyed to the ranks at the base of Ciskei 1 Battalion by a member of Gqozo's bodyguard, Warrant Officer Veliti, and by Sergeant Vinta Gqirana. The ranks were told that as the officers intended using the weapons to shoot them, they should shoot the officers before this could happen. [3]

The officers commenced moving the weapons on 9 February 1991. Soon after the officers arrived at the base they were surrounded and fired on by soldiers, who made them lie down on the parade ground. A great deal of firing took place. Lieutenant Colonel Zantsi was shot in the leg, Lieutenant Lawana wounded in the thigh and Warrant Officer Melane also wounded.

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[1] . Interview Lt.Co.L.Naka, Bhisho, 14 May 2007 & Stiff, *Warfare*, 506.
[2] . Interview, Louise Flanagan, Johannesburg, 28 Dec 2007 & statement by Lt.N.Kleinbooi.
[3] . - do -

Many of the soldiers were drunk as they had been to an all-night circumcision party at Skobeni village, and had only just arrived back at the base. Some suggested that the officers be shot, but others refused and said they must be detained. Finally the wounded officers were taken to Cecilia Makiwane Hospital, and the others to the detention barracks at Jongumsobomvu military base, where they were detained. A short while later the officers were removed from the military detention centre and sent to various prisons. Lieutenant Colonel Naka was moved to Middledrift Prison and Lieutenant Colonel Zantsi to Mdantsane Prison, where he was interrogated and tortured by Jacques Seaward of the South African Military Intelligence, who later interrogated and tortured other detainees. One of the officers, Lieutenant Ntantiso Kleinbooi, who managed to avoid the soldiers at the base, fled to Transkei.[1]

Meanwhile the body of Lieutenant Qamata, who had reported the presence of the weapons to the other officers, was found floating in the Yellowwoods River, not far from Bhisho. He had been shot, execution-style, in the back of his head. Lieutenant Qamata had been a member of Gqozo's bodyguard before being transferred to the IR-CIS. He had, however, become disenchanted with the way in which both Gqozo and the IR-CIS were running affairs. The last straw for his dissatisfaction was when Nieuwoudt told him that mayhem would result if Umkhonto weSizwe shot a senior officer in the CDF. Qamata feared that the IR-CIS would do so and then blame it on MK. It was this dissatisfaction with, and fear of the IR-CIS that led him to report the arms cache to Lieutenant Colonels Zantsi and Naka.[2]

On 11 February 1991 the *Daily Dispatch* reported that the alleged master mind of an unsuccessful coup on 9 February, Brigadier Andrew Jamangile, and seven other officers had been arrested. Gqozo confirmed the coup bid and assured Ciskei of its security. If Gqozo had been correctly reported, then he was either guilty of conveying an untruth to the press, or he had once again been hood-winked by the IR-CIS. The latter eventuality is more probable. On 12 February the *Daily Dispatch* reported that the situation in Bhisho had returned to normal.

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[1] . Interview, Lt.Col.L.Naka, Bhisho, 14.5.07.
[2] . - do -

On 19 February 1991 Lieutenant Kleinbooi, who had fled to Transkei, told the *Daily Dispatch* that there had not been an attempted coup on 9 February. He added that the shooting had started when a large stockpile of Eastern Bloc weapons, that had been found at the headquarters of the IR-CIS at House 14 in the ministerial complex, Bhisho, was being transferred by officers to Ciskei 1 Battalion base. He also stated that it was the IR-CIS that had earlier lured Charles Sebe and Anton Guzana to their deaths by means of false reports of a possible coup.[1]

The detained officers were charged with treason and terrorism, but on 8 March 1991 the charges were withdrawn, which was an admission by the Ciskei government that there had never been an attempted coup, and that there was no evidence whatsoever of any wrong-doing by the officers. On 22 April 1991 the officers were called to CDF Headquarters to face a disciplinary enquiry, but were instead served with letters of dismissal.[2] A few years later the officers sued the government for damages for their wrongful dismissal and during October 1995 the Department of Defence paid them R1 097 857 in settlement of their claims. No one was surprised at this turn of events as it was common knowledge that the so-called coup, or attempted coup, was a fantasy and that there was not an iota of evidence of wrong-doing against any of the officers. The alleged coup was simply another dishonest fabrication of the IR-CIS.[3]

The final outcome of the so-called coup did of course not cause Nieuwoudt and Brink, or any of the other agents of IR-CIS, any loss of sleep. They knew that they had in one fell swoop not only convinced Gqozo that the IR-CIS was acting in his interests, but also destroyed any remaining confidence he had in their major opponent, the CDF.

With the senior officers of the CDF out of the way, Nieuwoudt had no difficulty in persuading Gqozo to fill all strategic vacant posts in the CDF with seconded or retired SADF officers. Brigadier Marius Oelschig, ex-Special Forces and Military Intelligence, became Head of the CDF, and Colonel Dirk van der Bank, from East London, was appointed second-in-command.[4]

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[1] . *Daily Dispatch*, 22 & 23 Feb 1991.
[2] . - do - , 23 April 1991.
[3] . Interviews, Lt.Col.L.Naka, Bhisho, 14 May 2007, & Louise Flanagan, Johannesburg, 28 Dec 2007.
[4] . Stiff, *Warfare*, 509.

The death of Lieutenant Qamata had a sequel in the courts when his family sued the government in 1997 for R500 000 for loss of support arising from 'the murder of Lieutenant Qamata by members of the CDF.' The judgment of the presiding judge, Mr Justice A Dhlodhlo, was one of 'absolution from the instance,' which meant that the family had failed to prove that the deceased was killed by the security forces of Ciskei.[1]

The weapons cache incident and the revelations of Lieutenant Kleinbooi and Colonel Hugo, a member of South African Military Intelligence who had also fled to Transkei and there made a press statement about the true nature of the IR-CIS, blew its cover in Ciskei and its presence at House 14. It had to move to the farm Blacklands outside King William's Town, before being finally disbanded.[2]

[1] . Interview, Mr.Justice A.Dhlodhlo, Bhisho, 14 May 2007.
[2] . Interview, Gen. Z.Makuzeni, East London, 18 Jan 2007.

CHAPTER 3.4

A YEAR OF STRIFE : 1991.

For Brigadier Gqozo 1991 was an annus horribilis; traumatic events, most of which were self-inflicted, seemed to follow in quick succession. First came the deaths of Anton Guzana and Charles Sebe on 27 and 28 January, followed closely by the arrest and detention of the top echelon of the CDF on 9 February 1991. Throughout the year Gqozo seemed to be at loggerheads not only with the South African government and the ANC alliance, but also with the citizens of Ciskei, its civil servants and ministers, such as Advocate Keith Matthee, Dr Henk Kayser and General Zeblon Makuzeni. The only reason for eschewing all and sundry who could assist him with the governance of Ciskei seems to have been his ever-increasing arrogance and belief of self-importance, which convinced him that he could rule successfully without anyone's assistance[1].

The death of Anton Guzana and Charles Sebe, and the fiasco concerning the senior officers of the CDF, induced the South African Minister of Foreign Affairs, Pik Botha, to meet with Gqozo in Bhisho on 13 February 1991. After their discussions it was announced that Ciskei would pass a new constitution, which would provide for a government with greater civilian representation.[2] However, once Botha had left Ciskei, Gqozo showed his utter disdain for South Africa by doing absolutely nothing to enact a new constitution or implement a more democratic government. This attitude of his was difficult to understand as South Africa was Ciskei's main benefactor, without whose financial and other assistance it could simply not have functioned properly. Another reason for surprise at Gqozo's attitude was that he was by then heavily under the influence of the pro-South African agents of the IR-CIS. It seems that Gqozo was averse to accepting the relationship of benefactor and beneficiary that existed between the two countries at the time and that he was quite prepared simply to ignore South Africa. In short, the tail appeared to be wagging the dog.

Gqozo's disdain and failure to honour his undertaking to entertain a government with greater civilian representation was the last straw in Minister Botha's mounting dissatisfaction at

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[1] . *Daily Dispatch*, 15 & 17 Jan 1991.
[2] . - do - , 15 Feb 1991.

Gqozo's failure to govern Ciskei efficiently. Botha's frustration led him to draft a bill for the reincorporation of Ciskei into South Africa, whereby it would once again become part of the Cape Province. When, however, the South African cabinet considered the nuts and bolts of the bill, it realised that the scheme was, due to Ciskei being an independent and sovereign state, totally impracticable and unenforceable. Would South Africa have to invade and annex Ciskei? Who would administer Ciskei; its army, schools, hospitals, etc.? South Africa's inability to do anything about what was happening in Ciskei, coupled with Gqozo's attitude, antagonised greatly the political leaders of the South African government.[1]

On 26 February 1991 – before Pik Botha was aware of Gqozo's attitude to their talks on 13 February – Ciskei and South Africa signed a formal agreement on mutual economic and financial co-operation. Botha undertook to 'designate suitably qualified personnel, acceptable to Ciskei, as ministers in charge of certain portfolios.' Whereas there had in the immediate past been only one white minister on the Council of Ministers, there would soon be four.[2]

On 6 February 1991 a reporter on the *Daily Dispatch*, Louise Flanagan, published a summary of Gqozo's rule to date. The following are extracts from her report:

> Common feeling in the region is that the Brigadier (Gqozo) has blown his chances of popular support and his days may be numbered. When he first took over the Ciskei government after his March 1990 coup, he was moving on a wave of popular relief at seeing Lennox Sebe thrown out. Now, less than a year later, Gqozo has attacked the ANC, threatened to shoot MK's Chris Hani, and he is rapidly losing popular support and the trust of organisations. This week he announced that senior civil servants would not be allowed to join organisations as this would clash with their loyalty to the government.
>
> Gqozo has changed a lot since he took over.

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[1] Interview, Pik Botha, Pretoria, 27 Dec 2007.
[2] .*Daily Dispatch*, 27 Feb 1991 & Interview, Dr Henk Kayser, East London, 8 Dec 2007.

> Although he was clearly a military man and had no experience of politics, many thought he would learn and gave him time.
>
> He still claims to support democracy, but he doesn't practise it. He has rapidly centred power around himself, cutting his four man ruling council of state to only two (Guzana and Hauser were charged with treason). With the new changes announced this week, Gqozo is not only chairman of the council, but also Minister of Defence and joint Minister of Manpower.

Gqozo made use of his position to make new laws. One announced a five year mandatory sentence for anyone who insulted him. This was later dropped after an outcry.

> While he kept to his earlier promise of keeping his door open for anyone, and talking to organisations, his idea of consultation clearly differs from that of activists. He met with the Mdantsane Residents Association (MDARA), who presented him with a lengthy list of demands for improved living conditions. Instead of negotiating over the demands, Gqozo slammed the list as an 'insane catalogue' and accused the MDARA representatives of not having a mandate…..Quite simply, he seems happy for organisations to operate as long as they don't question his authority.
>
> He still says he supports the liberation movements, but emphasizes that he is in control in Ciskei and that it is staying that way.
>
> Gqozo may still feel in control, but unless he stops antagonising organisations and losing what support he has, his days will be numbered.[1]

In 1991 the civil servants were a veritable cross for Gqozo to bear. They had in November 1990 embarked on a strike for salary parity with their counterparts in the Republic of South Africa, and for government recognition of the ANC-backed National Education Health and Allied Workers Union (Nehawu), which many had joined. Gqozo vilified Nehawu, accusing it of causing instability and poor work ethics in the civil service. The

[1] . Interview, Louise Flanagan, Johannesburg, 28 Dec 2007 & *Daily Dispatch*, 6 Feb 1991.

civil servants suspended the strike during December 1990, but walked out again on 6 February 1991.[1] On 18 February 1991 the PAC and AZAPO criticised the CDF for having opposed marches by the civil servants, and both organisations called for Gqozo's resignation.[2] Despite the Ciskei government agreeing on 23 February 1991 to the strikers' demands, they refused to return to work. They now presented a new claim of parity of pay with the civil servants of Transkei, which exceeded that of the South Africans.[3]

On 2 March the Ciskei government and Cosatu signed an agreement and the strike ended, or so everyone thought. The civil servants, however, refused to return to work, which led to the government issuing an ultimatum that they do so by 5 April 1991, or be dismissed. Some returned to work, but 3000 did not. Gqozo now displayed his dictatorial tendencies and dismissed those who had not returned to work. The dismissed civil servants who occupied government houses were forcibly evicted from them by the CDF or the police, and those who had bought their houses on loans saw them sold on public auction. Both the President of the Border Council of Churches, Reverend Bongani Finca, and the President of the Border Peace Committee, Reg Mason, pleaded with Gqozo to stop the evictions, but to no avail.[4]

In May talks between the government and the ANC alliance on the grievances of the civil servants broke down and Gqozo was accused of 'slamming the door on further negotiations.' Although salary increases were approved on 18 July 1991, this did little to appease the civil servants.[5]

Gqozo's treatment of the civil servants, especially the dismissal of the 3000 and the appointment of others in their place, destroyed any goodwill they and the trade unions had for him. The ill-will to Gqozo of the civil servants, who were the major portion of the work force in Ciskei, was now also embraced by the workers of the private sector, who were sympathetic to the cause of the civil servants. The civil servants had been,

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[1] . Stiff, *Warfare*, 489 & 519.
[2] .*Daily Dispatch*, 19 Feb 1991.
[3] . - do - , 26 Feb 1991.
[4] .Interview, Reg Mason, East London, 18 Feb 2008 & Rev.Bogani Finca, East London, 22 Feb 2008.
[5]. *Daily Dispatch*, 25 April 1991.

after the army, Gqozo's primary support base, but the strike and the mass dismissals changed their loyalty.[1] Even today civil servants in Ciskei are quick to express their bitterness and resentment about the way Gqozo treated them in the 1990's. That Gqozo's attitude to the civil servants was too harsh is reflected by the fact that after the reincorporation of Ciskei into South Africa on 27 April 1994, 2000 of the dismissed civil servants were re-employed by the government.[2]

On 26 February 1991 Gqozo received one of the few compliments that came his way during the year: the CDF declared its total support for Gqozo as Head of State.[3]

On 1 March thousands of Ciskeians joined a demonstration organised by COSATU and marched from Bhisho to the offices of the Council of State in the Legislative Buildings, where they presented a petition to the Minister of Justice, Keith Matthee. It demanded that Gqozo resign, Ciskei be handed back to South Africa, trade unions be recognised, the appointment of headmen cease, and the harassment of freedom fighters stop.[4]

During the first half of 1991 two of Gqozo's most respected ministers, Dr Henk Kayser (Minister of Health) and Advocate Keith Matthee (Minister of Justice) warned him in writing of the folly of the isolationist and dictatorial path he was following. In March Dr Kayser addressed a written memorandum to Gqozo stressing the joy of the population after the coup d'état and all Gqozo's good deeds in 1990. He continued: 'It has become quiet around the Brigadier. His ante room, once full of coming and going people, is rather empty now-a-days.' Kayser recommended that Gqozo cease his dictatorial ways, that he relied more heavily on the advice of members of his cabinet, that he shared more with them what he intended doing and, lastly, that the original good relationship with the political parties (he did not mention specifically the ANC) be renewed. [5]

From the time that Advocate Keith Matthee was called upon to assist with the legal aspects of the coup (4 March 1990), he served Gqozo and the Council of State with distinction. He was one of the architects of the constitution, bill of rights, labour regulations and public defender system. It was therefore not surprising that he was

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[1] .Goodenough, *Borderline*, 74.
[2] .*Daily Dispatch*, 6 July 1994.
[3] . - do - , 27 Feb 1991..
[4] . - do - , 2 March 1991.
[5] . Interview, Dr.Henk Kayser, East London, 8 Dec 2007.

during February 1991 appointed Minister of Justice and Constitutional Development. He, however, fell into disfavour with Gqozo when he insisted that an inquest be held into the deaths of Charles Sebe and Onward Guzana and that it be heard by a judge of the Supreme Court.[1] If, however, Gqozo was becoming disenchanted with Matthee, the feeling was mutual as Matthee was upset at the unconstitutional and dictatorial manner in which Gqozo was running the affairs of Ciskei. On 5 May 1991 Matthee submitted a memorandum to Gqozo in which he stated that various matters were causing him concern. He continued -

> EXECUTIVE POWER:
>
> Constitutionally this must be exercised by the Chairman acting on the advice of the Council of State. It has been a long time since I was instructed to attend a Council of State meeting. Nevertheless, during this period executive decisions must have been taken. One that I have become aware of concerns the *Daily Dispatch* - a decision that the press actually attributed to the Council of State.
>
> LEGISLATIVE POWER:
>
> Constitutionally this vests in the Council of State. Of late I have been expected to vote on legislation I had not even seen. Furthermore, I have become aware of legislation only after it was legislated, although 1 am constitutionally one of the legislators.
>
> RECOMMENDATIONS:
>
> 1. Very simply, we must once again start acting constitutionally. For this to happen, regular and fixed Council of State meetings must be held where executive decisions are taken and new legislation is tabled and passed. Essential to the latter is a formalised legislative procedure.
>
> 2. The chairman must stop favouring the advice of his military/security establishment over and above that of the Ministers' Council.....The Alliance must be brought into the constitutional debate as soon as

[1] . Interview, Advocate Keith Matthee, Grahamstown, 8 Feb 2007.

> possible. I am afraid that if this is ruled out by the Council of State, I would have no option but to ask to be relieved of my Constitutional Development portfolio as I believe to try and exclude the Alliance will not only be political suicide, but can in fact lead to violence in our region.

This letter from Matthee, which was brimful of wisdom and foresight, was simply ignored by Gqozo. A further letter from Matthee on 27 May 1991 requested that Gqozo call a Council of State meeting to discuss certain urgent matters. It too was ignored. By his attitude to these letters Gqozo was reflecting not only how haughty and arrogant he had become, but also his disdain of advice from anyone, even his erstwhile acknowledged and trusted advisers.

On 29 May 1991 Matthee tendered his resignation. He wrote -

> In the light of the fact that I believe the ANC must be included in all consultations concerning the future of Ciskei, as opposed to your position on this, and to avoid you any embarrassment of having to ask me to resign, I hereby ask you to accept my resignation as Minister of Justice and Constitutional Development.

On 3 June 1991 the Council of State decided by majority vote to recommend that the Head of State accept the resignations of the Minister of Justice and Constitutional Development, Advocate K.V.Matthee, and that of the Minister of Posts and Telegraphs and Public Works, Mr H.R.L.Salie. On the following day Gqozo wrote to Matthee informing him that his appointment as Councillor/Minister of State had been terminated. He announced that the move was in the interest of 'unity of purpose of the government.' Was this a euphemism for the true intent: that he would brook no opposition to his dictatorial way of governance? Later Lieutenant Colonel Silence Pita and L.Nogcantsi, respectively, were appointed in the place of the two dismissed ministers.[1]

Since then it has come to light that the real instigator of Matthee's dismissal was none other than Nieuwoudt. In a memorandum to the DCC in March 1991 he stated:

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[1] . Interview, Adv. Keith Matthee, Grahamstown, 8 Feb 2007 & Stiff, *Warfare*, 519.

'Minister of Justice, Keith Matthee, will resign in two to three months.' He described Matthee as being 'too liberal.' There is little doubt that it was Nieuwoudt's manipulations that compelled Matthee to tender his resignation.[1] Gqozo's failure to consider the advice of Keith Matthee and to bring the ANC into the fold, but instead to be swayed to the contrary by the agents of the IR-CIS, was simply stark tragedy. If he had accepted Matthee's guidance, the history of both Ciskei and Oupa Gqozo would have been very different. There would surely have been less violence and killings and also no Bhisho Massacre.

Although it is not in chronological order, it seems apposite to mention here the similar lack of loyalty Gqozo displayed when he terminated the appointment of the Miniister of Health, Dr Henk Kayser, on 31 January 1993. As Minister of Health Kayser had improved the general health of the people. In the winter of 1992 the children's ward in Keiskammahoek Hospital was empty because all the children had been immunised. When Kayser took over in 1990 as chairman of the Council of Ministers, its meetings and administration were chaotic. He changed it into an efficient and well-run council. Gqozo gave as his reasons for terminating the minister's appointment that the Ciskei government needed ministers who would be 'aggressively involved in political and community matters.' Kayser believes that the real reason was because he did not agree with the 'dirty tricks' campaign of the IR-CIS, and Gqozo's attitude to the ANC. [2]

To the advice given by Matthee and Kayser to Gqozo must be added the warning given by the ANC alliance. As has been stated above, at the commencement of Gqozo's rule the ANC alliance embraced him and was prepared to give him all possible assistance to make his reign a success. They, however, also warned him that if he rejected the alliance, he would be making a grievous mistake. All the warnings were to no avail and Gqozo turned his back on the ANC and its allies, and thereby on his own people and in so-doing precipitated his own eventual downfall.[3]

Due to Gqozo's interference in their portfolios, the Ministers of Police, General Z.Makuzeni, and Foreign Affairs, M.S.Manzi, resigned on 26 December 1991. General

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[1] . Stiff, *Warfare*, 520 & *Daily Dispatch*, 23 Feb 1995.
[2] . Interview, Dr.Henk Kayser, East London, 8 Dec 2007
[3] . Interview, Mluleki George, King William's Town, 25 March 2008.

Makuzeni objected to Gqozo's use of the police to evict dismissed civil servants from their homes. When the General informed Gqozo that he intended resigning, it was agreed that in his letter of resignation he would state that it was for health reasons.[1]

As if Ciskeians had not endured enough suffering during the year, the ANC on 2 June 1991 called for a consumer boycott to 'address concrete obstacles hindering national negotiations.' Although Gqozo and the PAC rejected the boycott, it went ahead and by 4 June businesses began retrenching workers.[2]

In July Gqozo took two decisions that were to dump Ciskei into a cycle of vicious domestic violence that was tantamount to civil war. The violence was not only tragic for the people of Ciskei, but would also hasten the demise of Gqozo as Head of State. The first decision was to abolish the existing form of local government in rural areas. Prior to 1990 local affairs in those areas had been run by headmen and chiefs. In 1990 Gqozo withdrew the headmen and chiefs and handed control of local affairs to residents associations. This change was well received by the people as being a move in keeping with democracy, albeit only in the limited local sphere. They enjoyed the right to elect their own residents associations, who made decisions on local matters. Lieutenant Colonel Silence Pita states that as Ciskeians were almost to a man supporters of the UDF and ANC, it is not surprising that supporters of those organisations took control of the residents associations and were using them to further their demands for a greater say in the affairs of Ciskei. As this in turn led to Gqozo losing control of his people at grass-roots level, he was compelled to abolish the residents associations and, in July 1991, to return authority to the universally despised headmen. However justifiable the motivation for the move may have been, it proved extremely unpopular and gave rise to a great deal of on-going violence. [3]

The co-operation of a headman was now necessary to apply for a pension or other monies from the government, or to have land allocated. The people were suddenly back to where

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[1] . *Daily Dispatch*, 27 Dec 1991 & Interview, Gen.Z.Makuzeni, East London, 13 March 2008.
[2] ' - do - , 2 & 4 June 1991.
[3] Interview, Lt.Col.Silence Pita, Braunschweig, 13 March 2008, *Daily Dispatch*, 3 July 1991 & Stiff, *Warfare*, 520.

they had been under Lennox Sebe when they had to produce a membership card of his party before they could receive any government-related benefits.[1]

The second devisive decision was to establish a new political party, the African Democratic Movement (ADM), under the leadership of Gqozo. This decision was in all probability also taken on advice of the IR-CIS. The new party aimed, according to Gqozo, at being a mouthpiece for people opposed to violence and intimidation; it would strive for a non-racial, democratic South Africa and would ensure equality of freedom for all cultural groups. Gqozo stated that the ADM was a 'cultural movement' and not a political party. It was the 'mouthpiece of the silent majorities of South Africa,' and was not aligned to the IFP of KwaZulu. It rejected a unitary state as dictatorial and undemocratic. Whatever Gqozo called the ADM, no one was fooled by his statements and his averments were simply a case of 'a rose by any other name .....!' Everyone accepted that it was a political party that had been created to oppose the ANC, which belief subsequent events proved correct. The ADM contested and was badly beaten - it won no seats - in the first unified elections for the South African Constituent Assembly on 27 April 1994, and was thereafter transformed into a civic group, the United Residents Front.[2]

To the ANC the formation of the new party was like a red rag to a bull. Some members of the Council of State were also unhappy about the formation of the new party. The former saw it as an attempt to divide the community; the latter as an attempt to provide Gqozo with a support base for future constitutional negotiations.[3] Everyone realised that the formation of the ADM would lead to an exacerbation of the existing on-going strife between the Ciskei government and the ANC. As recently as 14 February 1991 Gqozo had launched a fresh verbal attack on the ANC and stated that Ciskei had been 'thwarted by the ANC's disruptive, provocative and confrontational attitude.' Although the ANC and the Council of State met on the following day and both parties committed themselves to 'good relations and peace in Ciskei,' subsequent events proved this commitment to be so much pie in the sky.

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[1] . Interview, Louise Flanagan, Johannesburg, 28 Dec 2007.
[2] . *Daily Dispatch*, 12 Dec 1994.
[3] *Daily Dispatch*, 9 July 1991.

Both these decisions – the re-introduction of headmen and formation of the ADM - were a recipe for disaster. The restoration of local authority to the headmen was clearly intended to give Gqozo greater say in the running of rural matters. Headmen were compelled to become members of the ADM and to adhere to its policies. Not surprisingly, they became despised by the very people they had to control and assist, who were often members of the ANC to the last man and woman. Many headmen were attacked, and even killed, and the violence was exacerbated when the headmen started retaliating and lording it over the people. The unpopularity of the two decisions underscored the improbability of Gqozo ever ruling Ciskei successfully: a non-supporter of the ANC attempting to rule a nation of ANC supporters.

It also soon became evident that the ADM was meant to be the official political party of the state. Not only the headmen, but also all senior government officials and members of the security forces had to belong to it and all largesse, such as social pensions, were handed only to members of the party. The creation of the ADM led to on-going strife and violence between its followers and those of the ANC alliance, during which many members of both parties were killed or injured and their homes and businesses burnt and looted.[1]

The following are some of the reported incidents of violence during this period: on 8 August 1991 a hand grenade attack on the home of the ADM Youth organiser, H.Z.Putu; during the week ending 28 October violent clashes between ANC and ADM members, due to rising tension over the re-introduction of the headman system, which led to the arrest of over 400 people; on 1 November 21 persons, mostly ANC members, arrested under the emergency regulations; on 9 November two houses and offices of the Education Department fire-bombed; on 16 December six grenades hurled at the home of an ANC activist in Alice, and on 28 December an ADM man stabbed in a revenge attack for the killing of four men earlier in Masele. During December a bomb misfired in a toilet adjacent to the office of the Minister of Health, Dr Kayser, which, if it had exploded, would have killed the minister. There were also many other unreported incidents of violence.[2]

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[1] . Interviews, Gen. Z.Makuzeni, East London, 18 Jan 2007, & Lt.Col.L.Naka, Bhisho, 14 May 2007.
[2] .*Daily Dispatch*, on dates following the incidents & Interview, E.L.,Dr. Henk Kayser, 8 Dec 2007.

On 22 July 1991 Colonel Gerrie Hugo, the Ciskei Military Intelligence Chief, fled to Transkei, where he made a press statement that uncovered, or confirmed, many truths of what was taking place in Ciskei at the time. He gave as the reason for fleeing his belief that his life was in danger at the hands of the IR-CIS. He stated that when that organisation was formed in Ciskei 'all of a sudden Brigadier Gqozo became anti-ANC.' According to Hugo the agents of the IR-CIS, especially Nieuwoudt and Brink, were running Ciskei. Their aim was to drive a wedge between, on the one hand Ciskei, and on the other the ANC and the Transkeian government of Major General Bantu Holomisa. He accused the IR-CIS of manufacturing untruthful evidence of a 'total onslaught' against Gqozo, which would be effected by coups and assassinations by the ANC and Transkei; of having lured Guzana and Charles Sebe to their deaths in Ciskei; of fabricating the so-called coup by the senior officers of the CDF, which culminated in their dismissal; and of destabilising relations between Ciskei and the ANC-leaning Transkei.[1] All this was simply a confirmation of what Lieutenant Kleinbooi had revealed when he fled to Transkei after the so-called coup by senior officers.[2]

After the press statements by Kleinbooi and Hugo had blown the cover of the IR-CIS in Ciskei, the Director General of the South African Department of Foreign Affairs, Rusty Evans, and the Chief of the SADF, General Kat Liebenberg, came to Bhisho on 7 August 1991 for discussions with Gqozo. They told him that it was not in the interests of South Africa to foster and maintain such elements, which were an embarrassment to Pretoria, and that the IR-CIS should be disbanded. On 29 August 1991 the Council of State announced that the organisation had been disbanded.

In August 1991 Gqozo once again partook of his favourite pastime of berating the ANC and its allies, and announcing threatened coups! On 2 August he said: "There is a big question mark about the priorities of this organisation (ANC). What I am saying to you, and in fact to the rest of South Africa is: 'Wake up, read between the lines, do not accept

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[1]. Interview, Louise Flanagan, Johannesburg, 28 Dec 2007, Stiff, *Warfare*, 511 & *Daily Dispatch*, 9 Feb 1996.

[2] . Interview, Louise Flanagan, Johannesburg, 28 Dec 2007.

at face value what you read in the media - propaganda abounds.'"[1] On 21 August Gqozo stated that there was evidence of yet another plot to overthrow him, this time from Transkei. As was the case with so many of the other 'imminent plots,' nothing more was ever heard of this one.[2]

In the same month, August 1991, tension between Gqozo and the ANC increased when he refused to accede to the ANC's request that cadres of its armed wing, Umkhonto weSizwe, be integrated into the CDF. He stated: 'In our defence force we do not want anyone with a criminal record, or anyone who has bombed a police station.'[3]

By now Gqozo's popularity had reached an all-time low due to his opposition to the ANC alliance and his disputes with the trade unions, civil servants, civic and residents associations, and even some of the black officers in the CDF. As a result various organisations were becoming more vociferous in their demands that he resign.[4]

Whilst addressing students at Rhodes University on 27 August, Gqozo was asked to give particulars of the IR-C1S. When he refused to do so, he was heckled and jeered, and the bulk of the students left the hall.[5]

On 3 September Lieutenant Colonel L.N.Naka, one of the officers who had been dismissed after the so-called coup by senior officers on 9 February 1991, testified at the inquest into the deaths of Onward Guzana and Charles Sebe. He confirmed that it was Nieuwoudt and Brink who had fabricated the story of a 'dummy coup' to lure the two men into Ciskei and their deaths. Also that the alleged coup by senior officers on 9 February 1991 at Ciskei 1 Battalion base was yet another fabrication of the notorious IR-CIS.[6]

When Nelson Mandela came to East London on 2 October 1991 in an attempt to improve relations between the ANC and Gqozo, the latter's office was contacted to make an appointment between the two leaders. The reply was that Gqozo was 'out of the

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[1] . *Daily Dispatch*, 3 Aug 1991.
[2] . - do - , 22 Aug 1991.
[3] - do - , 7 Aug 1991.
[4] . Goodenough, *Borderline*, 119.
[5] *Daily Dispatch*, 28 Aug 1991.
[6]. *Daily Dispatch*, 4 Sep 1991.

country!'[1] During the same month the spokesman for the Border Region of the ANC, Ms Marion Sparg, stated: 'The ANC has warned for months of the rising tension in Ciskei. Tempers are beginning to flare.' Gqozo replied by stating that neither the ANC nor Mandela could dictate terms to Ciskei. 'We are determined to protect our people's basic rights against ANC intimidation.'[2]

Gqozo's response to the violence following the establishment of the ADM was to declare a state of emergency in Ciskei on 29 October 1991 and to detain scores of those who opposed his party. The state of emergency regulations gave the police wide powers of arrest and detention without a warrant. The ANC was furious about the declaration and both the Anglican Bishop of Grahamstown, Reverend David Russell, and the Border Peace Commission called on the South African government to appoint an administrator in Gqozo's place.

The following day the ANC stated that it would resist the state of emergency. It continued that the situation in Ciskei was 'perilous' and that 'the declaration is the culmination of months of repression, which has included arbitrary arrests, assaults and armed attacks on ANC members.' It also stated that it had warned for months that tension was increasing in Ciskei over the imposition of headmen and the arbitrary restriction of political activities. It added: 'The conflict is not only about the appointment of headmen, but also that they are being instructed, often against their will, to act as organisers of the ADM.'[3]

When testifying before the TRC in September 1996 Lieutenant Colonel Silence Pita, Brigadier Gozo's deputy, stated that the establishment of the ADM led to violent clashes with the ANC and a wave of killings. 'People were killing each other. They were dying. The ADM and ANC were fighting each other. It was a very difficult time. The ANC wanted things done in a particular way and the ADM wanted things to be done in another way altogether.'[4]

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[1]. *Daily Dispatch,* 3 Oct 1991.
[2]. - do - , 29 Oct 1991.
[3]. - do - , 31 Nov 1991 et seq.
[4]. Stiff, *Warfare,* 521.

During September 1991 the Ciskei joined the Border Peace Committee, which consisted of representatives from all the political parties, security services, local authorities, etc., in the region. On 26 November 1991 the Border Congress of Civic Organisations (BOCCO) wrote to the Peace Committee. In the letter it stated that despite the lifting of the state of emergency there had been continued harassment of certain villages by the CDF. It objected to senior citizens having to be accompanied by a headman before they could obtain a pension, and requested the cessation of evictions of dismissed civil servants from their homes and the sale by auction of their houses. Lastly, it stated that the headmen system would lead to more violence and that it should be abolished.

Violence had by then reached such proportions in the Ciskei that the Border Peace Committee met representatives of the South African government on 12 November 1991 and again requested that Gqozo be replaced by an administrator. The government replied that as Ciskei was a sovereign state, it was powerless to do so.[1]

After discussions between Gqozo and Nelson Mandela in a beach-front hotel in East London on 17 November 1991, the Ciskei government agreed to lift the seventeen-day-old emergency. As a quid pro quo the ANC undertook to stop the war of words.[2] Nevertheless, confrontation between the followers of Gqozo and the ANC continued and on 19 December 1991 members of the ANC in Alice marched to the Magistrate's Office and demanded that Gqozo resign and that an interim administration be appointed.[3] On the next day, 20 December 1991, Gqozo and Holomisa met for fruitful discussions and the Ciskei government refused to sign the Codesa Declaration of Intent.[4] The ANC and Ciskei met on 29 December 1991 in an attempt to defuse the tension in Ciskei and avoid a situation similar to that which was causing havoc in KwaZulu.[5]

During 1990 Gqozo had enacted a new constitution that contained, inter alia, a bill of rights. For him the chickens of this enlightened enactment started coming home to roost in 1991, when the courts commenced striking out new and old legislation that was repugnant to the provisions of the bill of rights. On 9 December 1991 the Supreme

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1. *Daily Dispatch*, 13 Nov 1991.
2. - do - ,18 Nov 1991.
3. - do - , 20 Nov 1991.
4. - do - , 21 Dec 1991.
5. - do - , 30.12.91.

Court held that sections 26 and 43 of the National Security Act, 13 of 1982, which provided for arrest and detention without trial, and also Decree 30 of 1991, which Gqozo had enacted in an attempt to remedy the defects in the Act, were repugnant to the bill of rights and therefore null and void. This issue is dealt with in greater detail in the following chapter.[1]

As stated above, for Brigadier Gqozo 1991 was an annus horribilis. Sadly, 1992 would not be an annus mirabilis!

[1] . See case ANC (Border Branch) v. Council of State, *South African Law Reports*, 1992(4)SA 434 (Ck), which is discussed in the next chapter.

CHAPTER. 3.5

HOIST BY HIS OWN PETARD : 1990 TO 1994.

As is stated in Chapter 2.3, soon after Gqozo came to power he commissioned a committee to draft a new constitution and bill of rights. This led to the enactment of The Republic of Ciskei Constitutional Decree, 45 of 1990, which contained the new constitution and, in its sixth schedue, the bill of rights. The constitution created for Ciskei an official seal, national flag, coat of arms and national anthem (Nkosi Sikeleli Afrika – God bless Africa). It also established two councils – the Council of State and the National Management Board (known colloquially as 'the Council of Ministers'). The legislative authority vested in the Council of State, whose chairman was the Head of State and the Commander-in-Chief of the armed forces. The executive authority vested in the Head of State, acting on the advice of the Council of State. The Council of Ministers had to advise the Council of State on matters concerning the administration of the departments of state. The members of both councils were chosen by the arbitrary decision of the Head of State, and held office at his pleasure.

It is amazing that the bill of rights, which was an extremely fair-minded, progressive and liberal measure, could have been enacted by what was to all intents and purposes a military dictatorship. It not only confirmed the rule of law, but also protected all the rights of every citizen of Ciskei. These included the right to life, dignity, equality before the law, a fair trial, privacy, personality, freedom of movement, thought, expression, association, peaceful political activity, education, employment, ownership of property, and also protection against arbitrary arrest and detention.

The sixth schedule to the constitution, which contained the bill of rights, could not be amended or abolished by the Council of State unless such amendment became necessary for national security or public safety. The terms of the bill of rights were further entrenched by a provision in the constitution that any amendment to it would become law only if it were approved by not less than two-thirds of the votes in a referendum on the issue, conducted amongst all the citizens of Ciskei who had the right to vote. The sections of the constitution containing these restrictions are quoted and analysed in the first case discussed hereunder.

AFRICAN NATIONAL CONGRESS (BORDER BRANCH) VERSUS COUNCIL OF STATE, CISKEI : SUPREME COURT OF CISKEI, 14 NOVEMBER 1991.[1]

During 1991 the Border Branch of the ANC launched an application in the Supreme Court of Ciskei against the Chairman of the Ciskei Council of State, in which it sought an order that sections 26 and 43 of the National Security Act, 13 of 1982, be declared invalid. The basis of the application was that the provisions of section 26, authorising arrest and detention without warrant or trial, were in direct conflict with those of the bill of rights that everyone had the right to liberty, and could be detained only by order of court. The application contended further that the provisions of section 43, prohibiting gatherings of more than twenty people without the written authority of a magistrate, were also contrary to the stipulation in the bill of rights that everyone had the right to freedom of association and peaceful assembly.

When the case commenced on 13 November 1991 counsel appearing on behalf of Gqozo informed the court that his client accepted that sections 26 and 43 were repugnant to the bill of rights, and that he would contest the application only on the grounds of the newly enacted Constitution Third Amendment Decree, 30 of 1991 (the provisions whereof are set out hereunder), which was promulgated after the case had commenced.

At the time section 22 of the constitution vested legislative power in the Council of State, and sub-sections 22(4) and 22(5) entrenched the bill of rights as follows:

> 22(4) Save as provided in sub-section 5, the Council of State shall not have the power to make any law abolishing, diminishing or derogating from any fundamental right as set out in Schedule 6 (bill of rights).
>
> 22(5) The rights and freedoms conferred in Schedule 6 may be restricted by a Decree with general application for reasons which are necessary in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health and morals, for the protection of the reputation or rights of others, for maintaining the

[1] . Reported in the *South African Law Reports* as 1992(4) SA 434 (CK).

> authority and impartiality of the judiciary and for the social, moral well-being and upliftment of all the inhabitants of the State, provided that such a restriction shall not negate the essential content of the said rights and freedoms.

Sub-sections 22(4) and (5) had to be read with section 41 of the constitution, which further entrenched the bill of rights by requiring that any amendment thereto would only become law once it had been approved by a two-thirds majority in a referendum of voters. It read as follows:

> 41(1)Subject to the provisions of sub-section (2), the Council of State may by Decree, repeal or amend any provision of this Decree.
>
> (2) No repeal or amendment of any of the provisions of sections 22(4) and 22(5) (see above) .....or any of the provisions of Schedule 6 (bill of rights) of the Decree……in so far as such repeal or amendment might diminish or detract from the fundamental human rights and freedoms contained and defined in that schedule, shall be valid unless such repeal or amendment has obtained the support of not less than two-thirds of those voting in a referendum conducted amongst all the citizens of Ciskei over the age of 18 years.

The sum total of these provisions was that the Council of State could amend the bill of rights only if it were necessary for one or more of the purposes specified in sub-section 22(5), and that such amendment would become law only if it were approved by two-thirds of those voting in a general referendum on the issue.

Brigadier Gqozo must by now have realised that the bill of rights would be a serious stumbling block to his future actions and aspirations. He therefore decided to do away with all the legal restaints the constitution placed on the Council of State to amend the constitution or the bill of rights. To this end Gqozo had the Council of State enact, even before the case had been set down for hearing, the aforesaid Constitution Third Amendment Decree, 30 of 1991, which gave the Council of State carte blanche to amend the constitution and the bill of rights as it pleased. The Decree amended the

constitution as follows:

(a) Sub-section 22(4) was repealed;

(b) Sub-section 22(5) was substituted with the following sub-section -

The rights and freedoms conferred in Schedule 6 may at any time be restricted by a Decree of the Council of State.

(c) Section 41 was repealed.

When the case was argued before the court it was common cause that no referendum had been held to ratify the amendments to the constitution contained in Decree 30 of 1991.

On 9 December 1992 the Supreme Court of Ciskei held that as sections 26 and 43 of the National Security Act were repugnant to the bill of rights, they were null and void. It also held that as the purpose of Decree 30 of 1991 was to emasculate the constitution of the protection it afforded the bill of rights i.e. limiting the power of the Council of State to amend the bill of rights, the Decree was contrary to both the constitution and the bill of rights, and therefore null and void. If the Decree were allowed to stand it would afford the Council of State carte blanche to amend the bill of rights whenever and however it pleased. The bill of rights would thereby lose its superior status and the fundamental rights of the people would be at the mercy of the whims of the Council of State. For these reasons the court held that Decree 30 of 1991 was null and void, and that the bill of rights, together with its entrenched protection, remained extant. It also held that as sections 26 and 43 of the National Security Act were repugnant to the bill of rights, they were null and void and were therefore struck from the statute book.

BONGOPI VERSUS COUNCIL OF STATE AND COMMISSIONER OF POLICE, CISKEI : SUPREME COURT OF CISKEI, 3 FEBRUARY I992.[1]

Before judgment was handed down in the ANC (Border Branch) versus the Council of State case, mentioned above, the question of the validity of section 26 of the

[1] . Reported in *South African Law Reports* as 1992(3) SA 250 (CK).

National Security Act, 13 of 1982, once more came to the fore in this (the Bongopi) case.

When the applicant's brother, Matela Soganga, was arrested and detained without a warrant in terms of section 26 by members of the Ciskei Police Force on 22 January 1992, she applied to the Supreme Court of Ciskei for his release from detention. The basis for the application was once again that as section 26 was in fundamental conflict with the provisions of the bill of rights, it was null and void.

As stated above, the said section 26 provided that a person could in certain circumstances be arrested and detained by the police for interrogation for an indefinite period, without warrant or trial, and further that the detainee would not be allowed access to a court of law, legal representatives, friends or relatives. The section contradicted many of the individual's rights specified in the bill of rights. These included the right to liberty; the right not to be subjected to arbitrary arrest or detention; the right, when arrested, to be brought as soon as possible before a magistrate, and the right to a fair trial and a public hearing in a court of law.

When the case came to court both parties accepted that the provisions of section 26 of the National Security Act were repugnant to, and in conflict with the bill of rights. They also accepted that as the constitution was superior to other enactments, any Decree which was contrary to the bill of rights and had been enacted after the constitution was enacted, would be null and void.

The only question the court therefore had to decide was whether the constitution also applied to those Decrees that were enacted before the constitution was enacted i.e. whether a provision such as that stated in section 26, which had been enacted long before the constitution came into force, was void because it was repugnant to the subsequently enacted constitution and bill of rights.

Two of the presiding judges held that as the constitution was enacted after section 26, it did not invalidate that section. As they were in the majority, their findings became the judgment of the court and the application was dismissed. The third judge, however, gave

a dissenting judgment in which he found that because the constitution was a 'superior enactment', it nullified all contrary enactments, irrespective whether they were promulgated before or after the constitution. In his opinion, therefore, section 26 was null and void.

BONGOPI VERSUS COUNCIL OF STATE, CISKEI, AND ANOTHER : APPELLATE DIVISION OF THE SUPREME COURT OF CISKEI, 3 OCTOBER 1992.[1]

When the applicant took the above decision on appeal to the Appellate Division of the Supreme Court of Ciskei, that court upheld the dissenting judgment and allowed the applicant's appeal. It found that both pre- and post-constitution legislation that was contrary to the constitution, or the bill of rights, was illegal and null and void. As section 26 of the National Security Act was contrary to the bill of rights it was, irrespective of when it was enacted, null and void. The arrest and detention of Matela Soganga was therefore unlawful and it was set aside.

NTENTENI VERSUS COUNCIL OF STATE, CISKE1 : SUPREME COURT OF CISKEI, 19 NOVEMBER I992.[2]

When Gqozo came to power he, with a view to protecting the state against claims for excesses committed during the Sebe regime, had the Council of State enact the State Liability Decree, 34 of 1990, section 2(1) whereof read as follows:

> 2(1) No legal proceedings may be brought against the State in respect of any claim arising from any procedural irregularity, abuse of power, maladministration, nepotism, corruption or act of negative discrimination on the part of any member or servant of the Government of the Republic of Ciskei which was overthrown on 4 March 1990.

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[1] . *South African Law Reports:* 1993(3) SA 494 (Ck AD).
[2] . *South African Law Reports:* 1993(4) SA 546 (CK).

In the case the applicant and eight others each sued the Ciskei government for damages in the sum of R25000 for unlawful arrest and detention by members of the Ciskei Police Force during the Lennox Sebe regime.

The Council of State (Ciskei government) admitted the unlawful arrest and detention, but pleaded that the applicant and the other claimants were precluded from suing the State due to the provisions of the abovementioned section 2(1) of the State Liability Decree, 34 of 1990.

The court held that the provisions of the State Liability Decree, 34 of 1990, were clearly repugnant to the fundamental rights spelt out in schedule 6 (bill of rights) of the constitution. In the main the Decree negated the right spelt out in the bill of rights that all people, which included the state, were equal before the law. The state was therefore subject to the law and could not be protected against either civil or criminal prosecution.

Decree 34 of 1990 was consequently declared null and void.

GUZANA VERSUS COUNCIL OF STATE, CISKEI : APPELLATE DIVISION OF THE SUPREME COURT OF CISKEI, 4 DECEMBER 1992.[1]

The Chief Justice ordered that this case be heard in the Appellate Division of the Supreme Court of Ciskei.

The applicant was the widow of Onward (Mangwane) Guzana, who was lured with Charles Sebe into Ciskei and then shot and killed by the CDF on 27 January 1991 – see Chapter 3.2. She applied to court to have certain portions of Decrees 5 and 10 of 1992, which are referred to hereunder, declared null and void, and that Brigadier Gqozo be compelled to give evidence at the inquest into her husband's death. The basis of the application was that the relative portions of the Decrees were in conflict with the bill of rights, which declared that 'all persons shall be equal before the law.'

The facts of the case were that in June 1992 a subpoena to testify at the inquest into the deaths of Onward Guzana and Charles Sebe was served on Gqozo. Shortly thereafter, on 6 July 1992, the Council of State issued Decree 5 of 1992, which amended the Civil

[1]. *South African Law Reports:* 1993(2) SA 445 (CK AD).

Procedure Evidence Act, 1965 and the Criminal Procedure Act, 1977, by the addition of a provision that the chairman of the Council of State could not be compelled to give evidence in a civil or criminal case, commission of inquiry, or inquest.

On 24 August 1992 a further Decree, 10 of 1992, was promulgated. It provided that the chairman of the Council of State would be a competent, but not a compellable witness in any judicial or quasi-judicial proceedings.

On the day that Gqozo had to testify at the inquest into the deaths of Onward Guzana and Charles Sebe, his Counsel handed in an affidavit which stated that the interests of state did not permit him to attend court and give evidence. His Counsel submitted that in view of the provisions of Decrees 5 and 10 of 1992, the inquest court could not compel Gqozo to give evidence. The presiding judge at the inquest upheld this submission and Gqozo was not compelled to give viva voce evidence.

In her affidavit to the Appellate Division the applicant stated that she had an interest in discovering the truth about her husband's death and the extent of Brigadier Gqozo's involvement in the circumstances that led to his death. As Decrees 5 and 10 placed Gqozo above the law, and deprived her of the right to call him as a witness to testify, the Decrees were contrary to the bill of rights and should be declared null and void.

On 2 February 1993 the Supreme Court held that the provisions of the two Decrees did place Gqozo above the law and that they were contrary to the provision of the bill of rights that all persons were equal before the law. It therefore declared Decrees 5 and 10 of 1992 to be null and void, and, by implication, that Gqozo had to testify at the inquest.

MATINKINCA AND ANOTHER VERSUS COUNCIL OF STATE, CISKEI : SUPREME COURT OF CISKEI, 9 DECEMBER I993.[1]

This case arose from the Bhisho Massacre on 7 September 1992.

When the Attorney-General informed the Minister of Justice that he intended charging various members of the Ciskei Defence Force and a member of the Executive Committee

[1] . *South African Law Reports:* 1994 (4) SA 472 (CK).

of the ANC alliance with murder, the Council of State enacted the Special Indemnity Decree, 7 of 1993, which indemnified all persons for acts committed at or near the Bhisho Stadium on the day of the march. The government stated that the motivation behind the Decree was the fear that a prosecution could adversely affect the multi-party constitutional negotiations (Codesa) that were in progress at the time. Louise Flanagan, at the time a reporter on the *Daily Dispatch*, is however of opinion that the real reason for the Decree was Gqozo's fear that a prosecution could lead to an insurrection in the army, or even to himself being prosecuted.[1]

The first applicant, the widow of one of the persons shot and killed at the massacre, and the second applicant, who was injured in the shooting, wished to claim for the damages they had suffered arising from the massacre. They therefore launched the present application to have Decree 7 of 1993 declared null and void.

The question to be decided was whether the Decree was repugnant to section 9 of the bill of rights, which provided that: 'All persons shall have the right to participate in peaceful political activity intended to influence the policies of Government.'

On 13 January 1994 the court found that the said right included the right to be protected from harm whilst participating in a 'peaceful political activity,' and also to bring criminal proceedings against anyone who interfered with that right. The court therefore held that as Decree 7 of 1993 restricted those rights, it was contrary to the bill of rights and null and void.

STATE VERSUS GQOZO AND THOZAMILE VELITI, MURDER : SUPREME COURT OF CISKEI, 9 NOVEMBER 1993.[2]

Brigadier Gqozo and Sergeant Major Thozamile Veliti were charged with having murdered Charles Sebe on 28 January 1991. Before the trial commenced Gqozo objected to the indictment on the principle that 'the king can do no harm.' He argued that in terms

[1] . Interview, Louise Flanagan, Johannesburg, 28 Dec 2007.
[2] . *South African Law Reports:* 1994 (2) SA 756 (CK).

of this legal principle, he, the Head of State of Ciskei, could not incur criminal liability and was immune from prosecution.

The court, however, on 15 November 1993 held that although the principle was part of English law, it was not part of South African law and that the Head of State of Ciskei could therefore not rely on it to avoid prosecution. The court held further that the provision of the bill of rights that 'all persons shall be equal before the law,' also negated the argument that the Head of State was above the law and could not be prosecuted.

The objections to the indictment were accordingly dismissed and Gqozo had to stand trial on the charge of murder.

As we examine these judgments we find that whenever Gqozo came up against the bill of rights, the enactment that he had so avidly sought to create, he came off second best. One thing that can, however, be said in Gqozo's favour is that he absorbed all the legal setbacks without demur, and never interfered with the powers or appointments of the creators of his misfortunes - the judges of the Supreme Court.

CHAPTER 4.1

ANOTHER YEAR OF STRIFE : 1992.

1992 was yet another year of dissension and conflict between on the one hand the Ciskei government and the ADM, and on the other the ANC alliance. Not only insults, accusations and recriminations were the order of the day, but also attacks, arson and killings.

The ANC had refused to accept Gqozo's governance and it was intent on having him removed from office. It had on numerous occasions requested that he be replaced. This objective was once again spelt out clearly immediately before the Bhisho Massacre, when the ANC stated that it would remain at Bhisho until Gqozo stood down and Ciskei was reincorporated into South Africa. Gqozo was therefore faced by a political opponent that was doing everything in its power to remove him from power. The means to this end included terrible violence – killing, injuring and burning the homes of headmen, supporters of the ADM, members of the security forces and civil servants. This violence bred counter-violence, so much so that a state of virtual civil war existed in Ciskei. A further problem was that the members of Umkhonto weSizwe, who had returned to Ciskei as highly trained fighters, were ruling the roost in the rural areas.

The violence escalated during the year. Most attacks were at night by throngs of people, often young men, using paraffin and rudimentary petrol bombs to set houses and buildings alight. The attackers were often identified as ANC supporters by their songs, slogans and choice of victims. Across Ciskei many schools, magistrates' offices, and other government buildings and vehicles were burnt and destroyed.[1]

The first week of January held clues to what lay ahead for the supporters and officials of the Ciskei government. Late one night a noisy mob hurled petrol bombs at the home of the headman of the village of Nqwele. This time no one was injured and the fire was

[1] . Goodenough, *Borderline*, 125.

extinguished; others would be less fortunate.[1] Nine days later an ADM member was shot in the leg and empty AK47 cartridges were found on the scene.[2] A few days on three people were injured when a hand grenade was thrown at the home of a headman in Quizini Village, and at about the same time four men were arrested who were on their way to attack another headman in the same vicinity. On 14 February 1992 a lieutenant in the Ciskei Police Force and his woman passenger were both shot and killed whilst travelling in his vehicle in Mdantsane. An AK47 rifle was used and the attack was clearly politically motivated.[3] On 23 July 1992 three government vehicles were set alight in Zwelitsha and on 20 August five more vehicles were torched in the same town.[4]

Counter-violence by the Ciskei government camp was a concomitant of the ANC violence, and it cannot be gainsaid that such counter-violence on the part of the government, its security forces and the ADM did occur: they were undoubtedly a party to the violence. Throughout the year a debate raged as to who was to blame for the violence and bloodshed. The root cause was manifestly the opposition to Gqozo and his government, and the lack of democratic channels whereby the people could express their dissatisfaction. This led to them resorting to violence, which generated the counter violence. Both the Ciskei government and the ANC alliance paid lip service to condemning the violence, and did little to rebuke or restrain their followers when it eventuated. The attacks therefore simply continued unabated.

On 25 February 1992 the Press Liaison Officer of the ANC, Ms Marion Sparg, accused Gqozo of conducting a 'reign of terror' and an unofficial state of emergency in Ciskei. She continued: 'Repression is still the order of the day .....There never has been and still is no political freedom or respect for human rights in Ciskei under Gqozo.' She stated that many places in Ciskei were no-go areas for the ANC due to the action of the Ciskei Police Force, which was acting in collusion with the ADM vigilante groups and the headmen. She continued that many, if not all the headmen were ADM supporters and the 'centre of the conflict.'[5] This statement was, however, only partially correct as it

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[1]. Goodenough, *Borderline*, 124.
[2]. - do - , 124.
[3]. *Daily Dispatch*, 15 Feb 1992.
[4]. - do - , 24 July & 21 Aug 1992.
[5]. - do - , 26 Feb 1992.

was hardly only the headmen who were the 'centre of the conflict.' Both parties were clearly to blame.

On the following day the ADM, naturally, refuted the statement by Ms Sparg and stated that the law on meetings applied equally to both the ANC and the ADM.[1] However, in the same month, February 1992, the ADM, due to the killing of four headmen at Mosele in December 1991, considered training its members in self-defence units; a move that sparked fears of vigilantism.[2] Dr Henk Kayser, the then Minister of Health, is adamant that both camps were equally to blame for the violence and that it is ridiculous to point a finger at only one party. This opinion is borne out by the fact that both parties were attacking one another and that an on-going war situation existed in Ciskei.[3]

During 1992 Gqozo became ambivalent and contradictory about the reincorporation of Ciskei into a unified South Africa. On 5 February he stated that Ciskei wanted 'some form of self-rule within a federal system,' not a unitary state as proposed by Codesa. Shortly thereafter, however, Ciskei signed the National Peace Accord and Gqozo informed Codesa that Ciskei no longer thought that a referendum was necessary to test the feelings of the people of Ciskei on possible reincorporation into South Africa. A month later Gqozo stated that reincorporation would be like entering a dark tunnel![4] On 6 May 1992 he stated that he was not prepared to relinquish power, but that he would do so to a universal South African government when it had been elected. He had nothing against the ANC, but it had to stop 'its policies of intimidation, prescribing to everyone, and its non-tolerance.'[5]

In *Borderline* Patrick Goodenough comments that Gqozo frequently stated that Ciskei would not be reincorporated into South Africa. The then Minister of Health, Dr Henk Kayser, who was a member of the Ciskei delegation at Codesa, however, disputes this comment and maintains that Gqozo and Ciskei were always in favour of reincorporation,

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[1] . *Daily Dispatch,* 26 Feb 1992.
[2] . - do - , 11 Feb 1992.
[3] . Interview, Dr Henk Kayser, East London, 8 Dec 2007.
[4] . Stiff, *Warfare*, 524.
[5] . *Daily Dispatch*, 7 May 1992.

but not into a unitary state. What is clear is that especially the civil servants and the security forces were very concerned about their future and that of the region.[1]

On 1 March 1992 the Sunday Times reported a plot by the ANC to remove Gqozo from power, which the ANC denied.[2] There could well have been some truth in this report as Umkhonto weSizwe (as is described later in this chapter) planned to assassinate Gqozo shortly before the Bhisho Massacre, which occurred five months later. The plot alleged in the Sunday Times led to Ciskei withdrawing from a meeting with the Border/Ciskei Dispute Resolution Committee. However, on 6 March 1992 Ciskei, represented by Gqozo, and the ANC, represented by Cyril Ramaphoso and Thabo Mbeki, met for talks. After being locked in discussions for five hours the talks broke down when the ANC stated that it would continue with its 'symbolic campaign' against Ciskei, and Gqozo refused to agree to 'free political action'.[3]

The parties met again on 10 March, this time in Pretoria in the presence of the South African Minister of Foreign Affairs, Pik Botha. They now called a truce: the ANC would revise its plan to destabilise Ciskei, and the latter would review its security regulations and allow public meetings.[4] The ensuing peace was short-lived and on 21 March 1992 Ms Sparg was threatened at gunpoint and tear-gassed by Ciskei security forces at an ANC rally at Tentergate.[5]

On 25 March 1992 the Council of State wrote a letter to the Paramount Chief of the Rharhabe, Chief Maxhoba Sandile, threatening to cut his salary to R800 per month as he was 'not performing all his duties.' The Chief commented that the difficulties he was experiencing with Gqozo had started as early as March 1990. He had sought a harmonious working relationship with Gqozo, but to no avail. The Brigadier had voiced his suspicion that the Chief wished to usurp his power. Although he, the Chief, was receiving a considerably smaller salary than other chiefs, and the Ciskei government had

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[1] . Goodenough, *Borderline*, 126 & Interview, Dr Henk Kayser, East London, 8 Dec 2007.
[2] . *Daily Dispatch*, 2 March 1992.
[3] . - do - , 7 March 1992.
[4] . - do - , 11 March 1992.
[5] . - do - , 24 March 1992.

undertaken to investigate the matter, nothing had come of it. He believed that the threat to his salary was due to his refusal to join the ADM.[1]

In 1992 Gqozo displayed a lack of faith in virtually everyone in his government, including his small circle of special confidants. Not even his ministers were exempt from this abiding distrust of those working for him. In May 1992 Advocate V.Notshe, a respected practising advocate, was appointed Minister of Police, Prisons and Traffic. Two months later, on 16 July 1992, Brigadier Jan Viktor, the Commissioner of Police, informed Notshe that his office had been bugged. Notshe believes this was done because someone had told Gqozo that he had a close relationship with the ANC, which was not true. Whatever led to the clandestine surveillance, Notshe was not prepared to work for someone who had no faith in him, and he resigned on the following day.[2] So too, during the course of the year Gqozo ordered his intelligence service to investigate and check on his deputy, Lieutenant Colonel Silence Pita, because 'the ANC never attacks him!'

As already discussed, this lack of trust once again came to the fore when Gqozo on 29 January 1993 wrote to the Minister of Health, Dr. Henk Kayser, and terminated his appointment from 31 January 1993 as 'the Ciskei government needs ministers that will not only perform administrative and technical functions, but will also be aggressively involved in political and community matters.' This was the first intimation Kayser had that he would be dismissed. He was naturally dismayed that after three years of faithful service he should be given two days notice to leave. He was also disheartened that after having so successfully improved his portfolio, and the general health of the people, he now had to leave. In the winter of 1992 the children's ward in the Keiskammahoek Hospital was empty because all the children had been immunised. Kayser believes that the real reason for his dismissal was because he could not see eye-to-eye with Gqozo on his attitude towards the ANC.[3] The so-called reason for Kayser's dismissal, does, however, reflect pertinently on Gqozo's belief that the ADM and the state were a composite whole.

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[1] . *Daily Dispatch*, 31 March 1992.
[2]. Interview, Advocate Viwe Notshe, East London, 13 Feb 2008.
[3]. Interview, Dr.Henk Kayser, East London, 8 Dec 2007.

In April Cyril Ramaphosa (ANC) and Chris Hani (SACP) addressed 25000 of their followers at the Victoria Grounds, King William's Town. Ramaphosa stated that the ANC would continue to fight Gqozo as long as he continued to resist the people, who were 'sick and tired' of him, and suffering 'repression and suppression.' Chris Hani told the crowd that they should do all in their power to ensure that the 'puppet' Gqozo disappeared. Whether or not these and other leaders of the ANC and SACP intended their rhetoric to end in bloodshed, that was its effect.[1] As previously stated, provocation from the other side was not in short supply and as 200 members of the Zwelitsha Branch of the ANC returned home from the above meeting, members of the security forces scattered them by firing tear gas canisters into their midst.[2]

In mid-June the ANC pulled out of the national democracy talks with the South African government and commenced a mass action campaign. The reason for doing so was that it believed that President de Klerk was stalling the negotiation process, and that he would do so indefinitely. At the same time the Border Branch of the ANC called on Ciskei policemen and soldiers to refuse to act on orders given by Gqozo that would prohibit free political activity.[3]

As part of the mass action campaign the ANC marched to the South African Embassy in King William's Town on 26 June 1992. The purpose of the march was to put pressure on Pretoria to compel Gqozo 'to create a democratic atmosphere in Ciskei.'[4] Gqozo opposed the mass action campaign and also denied that his government was supplying the ADM with arms.[5]

In June and August the home of senior ANC leader Skenjana Roji was attacked with rifle fire and hand grenades. No one was injured. Another attack was launched against the village of Ngece, which openly supported the ANC, in which two people were killed and several injured. Two Sergeants and a Corporal of the CDF were arrested and charged for the attacks.[6]

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[1] . Goodenough, *Borderline,* 126.
[2] . *Daily Dispatch*, 7.4.92.
[3] Goodenough, *Borderline,* 126.
[4]. *Daily Dispatch*, 27.6.92.
[5] . - do - , 2.7.92.
[6] . - do - ,21.7.92.

On 12 July Steve Tshwete called on the crowd at the Sisa Dukashe Stadium in Mdantsane to direct mass action against Gqozo. This was followed by a peaceful march in the suburb on 15 July 1992.[1]

The mass action campaign led to ugly scenes. The most gruesome was when a frenzied mob in Dimbaza stabbed a police constable, set him alight and threw him, still alive, into a blazing bus. Cars, buses, government buildings and the houses of civil servants and headmen were attacked with hand grenades and petrol bombs. The security forces retaliated and assaulted many people.[2]

The ANC accused the Ciskei government of unnecessary attacks on peaceful demonstrators taking part in the mass action campaign. It called on Gqozo to resign and avowed that it would continue the mass action until he did so.[3]

The violence reached a crescendo during August 1992. It has been described by Patrick Goodenough in *Borderline* as follows:

> The cycle of violence continued relentlessly through August, with arson, hand grenade and AK47 attacks becoming virtually daily occurrences. Millions of rands of damage was caused to private and state-owned property. There were also several well-planned attacks on the police by teams of heavily armed and obviously highly-trained fighters, and six policemen were killed in three days. The ANC was determined to exercise its right to free political expression, and a second march was planned. Once again Gqozo demanded that the event be cancelled, urging the ANC to 'stop gambling with the masses lives for political gain.' The ANC refused, and, high on adrenaline, invited security force members and civil servants to participate: " 'Our marching song is 'Gqozo must go.'" [4]

The already high tensions in Ciskei increased even further when the ANC announced its intentions to march from King William's Town to Bhisho to call for Gqozo's

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[1] . *Daily Dispatch*, 16.7.92.
[2] . - do - , 21 July 1992 & Goodenough, *Borderline*, 127.
[3] . - do - , 21 & 23 July 1992.
[4] . Goodenough, *Borderline*, 126.

resignation. In repeated messages over Radio Ciskei, Gqozo warned that he would not allow the march to enter Ciskei and that if it did, the marchers would be stopped.

Despite Gqozo's warnings, the ANC Alliance's show of strength began on 4 August 1992. A march of 30 000 demonstrators from King William's Town was stopped at the South African/Ciskei border by 50 Ciskeian riot policemen and a few officers of the Ciskei Defence Force. A potential tragedy was averted when negotiations were commenced between Gqozo and the leaders of the march, Cyril Ramaphosa and Chris Hani. The South African Minister of Foreign Affairs, Pik Botha, was not on the scene, but in telephonic dialogue with the participants. It was agreed that the marchers could move into Bhisho Stadium and, after this happened, a protest note was handed over. Everyone then left the scene peacefully.[1]

On 26 August 1992 the ANC once again declared that it would continue its mass action to force the South African government to give in to its demands, especially in Ciskei, Qwa-Qwa and Bophuthatswana.[2]

The violence was heading for an overwhelming tragedy which duly happened on 7 September 1992 when the Bhisho Massacre occurred. During a mass march of 80 000 demonstrators from King William's Town to Bhisho Stadium, the leaders of the march disobeyed a court order and led the marchers from the stadium towards the business centre of Bhisho. The soldiers surrounding the stadium opened fire, and 28 marchers and one soldier died on that day, and another marcher died later from his wounds. A detailed description of the massacre is given in the next chapter. After the massacre Gqozo, presumably to promote an image of himself as a civilian ruler, resigned from the army.[3]

The extent to which Gqozo had become anti-ANC was revealed in a statement he made to the *Daily Dispatch* in September 1992. He stated:

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[1]. Daily Dispatch, 5 Aug 1992.
[2]. - do - , 27 Aug 1992.
[3]. See Brigadier Gqozo's photograph as a civilian ruler on page 178.

> I would have worked with the ANC if it was a black movement working against oppression; if it was working toward genuinely liberating the people They (ANC) began a reign of terror. There were kangaroo courts. Tribal authorities were reviled. They hacked cattle, burned houses, attacked people who did not agree with them.…They (Umkhonto weSizwe) have now returned to their villages, which they rule with terror. These guys are monsters. They will destroy South Africa unless people stand up against them....He (Nelson Mandela) has lost credibility with me. He can't keep his promises, can't control or discipline his people. He is a weak man....There is so much corruption in the ANC that it hurts....Its policies are barren.[1]

In 1992 two incidents described by Mluleki George, who was then the President of the UDF and a member of Umkhonto weSizwe, and who subsequently became the South African Deputy Minister of Defence, reflect the violent animosity between the parties at the time. The first incident occurred when shortly before September 1992 members of MK decided to assassinate Gqozo. All the plans for the operation had been finalised; the movements of Gqozo had been monitored and the place and time where he would be shot had been determined. However, two days before the day of the assassination a senior member of the organisation vetoed the operation as it would have made a martyr of Gqozo, which would have been counter-productive to the interests of the liberation movement.

The second incident also happened in September 1992, a day or two after the Bhisho Massacre. In the evening Mluleki George travelled from East London to Bhisho in a 16 valve, blue Volkswagen motor car with CCN registration plates. As a precautionary measure he left his vehicle at a friend's home in Zwelitsha, and completed his journey in the friend's vehicle. That same evening a man, travelling in a 16 valve, blue Volkswagen motor car with CCN registration plates, was shot dead at the robot near Bhisho. Mr George is convinced that the bullet was meant for him.[2]

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[1] . *Daily Dispatch*, 17 Sep 1992.
[2] . Interview, Mluleki George, King William's Town, 25 March 2008.

When Gqozo was subpoenaed to give evidence at the inquest into the deaths of Anton Guzana and Charles Sebe on 24 August 1992, he, in an attempt to avoid doing so, called the Council of State to his aid and had it pass Decrees 5 and 10 of 1992, which provided that the Head of State could not be compelled to give evidence in any judicial proceedings. Although this tactic was successful at first, when the Supreme Court of Ciskei held, on 4 December 1992 that the two Decrees were repugnant to the bill of rights and therefore null and void, Gqozo had to testify in person. This episode is discussed in detail in Chapter 3.5.

It seems that during 1992 the opposing parties, on the one hand the Ciskei government and the ADM, and on the other the ANC alliance, were at war with one another and that they were equally to blame for the attacks, killings and other atrocities that were being committed. The situation in Ciskei was no different from the mayhem and violence that was rampant in KwaZulu-Natal at that time.

The Bhisho Massacre did, regrettably, not conclude the violence for 1992. As will be seen in chapter 4.3, which deals with the aftermath of the massacre, the violence and killings continued unabated after the massacre.

CHAPTER 4.2

THE BHISHO MASSACRE : 7 SEPTEMBER 1992.

Ruth Roach is a nursing sister. On 7 September 1992 she was the sister-in-charge at Grey Hospital, King William's Town. At about midday she received a message that marchers had been shot at Bhisho Stadium and that the hospital must prepare for a large influx of casualties. A little later 28 bodies and close on 200 injured persons were brought to the hospital. An old lady of sixty years of age, who was the first to identify the bodies, broke down and wept bitterly when she saw a body. It was that of her husband whom she had last seen when they were walking side-by-side in the valley below the Legislative Buildings, near Bhisho, and the shooting commenced.[1]

The tripartite alliance of the African National Congress, South African Communist Party and the Congress of South African Trade Unions had arranged a march of 80 000 demonstrators to be held on that day from King William's Town in South Africa to Bhisho in Ciskei. At its culmination at Bhisho Stadium, soldiers of the Ciskei Defence Force opened fire on the demonstrators, killing 28 marchers and one soldier, and wounding a further 200. Later a twenty-ninth marcher succumbed to his wounds.

The events of 7 September 1992 are indeed a tragic epic in the history of South Africa. It can never be gainsaid that soldiers firing on unarmed marchers is a horrific and tragic event, which, other than in exceptional circumstances, is a crime against humanity. As it was the troops of Brigadier Oupa Gqozo, the then ruler of Ciskei, who fired the fatal shots, he was castigated by all and sundry both nationally and internationally. We may, however, pose the question whether he was the villain, or whether there were others to blame for the massacre. The answers to these questions will be found in an analysis of the events which preceded and occurred on that day.[2]

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[1] . Interview, Ruth Roach, Gonubie, 14 March 2007.

[2]. Unless otherwise stated, the facts in this chapter have been gleaned from the court record of the criminal case The State versus Vakele A.Mkosana and Mzamile T.Gonya (Case 43/2001, Supreme Court, Bhisho). The two accused were soldiers in the ranks at Jongilanga Crescent, to the North of the Bhisho Stadium. They were charged in 2001 with murder for having fired at the approaching marchers. Both were found not guilty and acquitted. The author was the presiding judge in the case, duly assisted by two assessors: Regional Court Magistrate, D.D.Ndema, and Chief Magistrate, V.M.Tantsi.

In our search for the causes of the tragedy we must bear in mind that it occurred against the background of two contexts: one relevant to the whole of South Africa, the other to Ciskei only. The first context was that by the time the massacre occurred both the Republic of South Africa and the homelands, one being Ciskei, had already been placed firmly on the road to a new unified democracy. Nelson Mandela had been released from prison, all political parties had been unbanned and the Convention for a Democratic South Africa (CODESA) had commenced its deliberations. The logic of the process was unstoppable, and it is arguable that attempts to force the issue were bound to be counter-productive.

The second context was that when Gqozo towards the end of 1990 became disenchanted with the ANC and its allies, his people, the majority of whom were supporters of that party, turned against him and violence flared against the Ciskei government, its institutions and its supporters. The unrest was exacerbated when Gqozo reinstated the unpopular headmen system and formed a new political party, the African Democratic Movement (ADM), to oppose the ANC. The result was an on-going feud between followers of the ADM and the ANC. Headmen and government officials were attacked, government buildings and offices destroyed, and private homes and businesses burnt and looted. Members of the Ciskei Defence Force were prime targets for this violence. So, for instance, many soldiers were injured when on 7 August 1992 their bus was attacked with AK47 rifles and hand grenades. On 8 August 1992 a hand grenade was thrown into the home of Sergeant Landu of the CDF; on 9 August 1992 shots were fired at Rifleman Blaai, which shattered his jaw and thigh, and on the following day the home of Rifleman Vuyo Gqomfa was set alight.

The Truth and Reconciliation Commission described this violence in the following paragraphs of Volume 2 of its report:

> 397. The ANC campaign for the reincorporation of the homelands escalated from 1992 onwards. Many clashes were reported between ANC activists and individuals loyal to the homeland governments, in both civilian and military structures. In Ciskei Brigadier Oupa Gqozo used his newly-established party, the ADM, to counter the influence of the ANC. He also re-imposed the

traditional headmen system. Such activities inflamed the situation further.

398. A report of the Network of Independent Monitors (NIM) lists a number of attacks and weapons and targets, and suggests that these attacks were carried out by MK. Main targets included headmen and police in the Ciskei, as well as members of the ADM. The list includes forty-eight hand grenade attacks, twenty-three AK 47 attacks, and the laying of limpet mines.

399. Ciskei Police figures list 113 incidents of public violence in 1991, 381 in 1992, and 255 in 1993. Of the victims 84 per cent, or 629 individuals, were Ciskei government personnel, members of Ciskei government structures, traditional authorities or parties aligned to the Ciskei government. Fifty-one individuals, just under seven percent, were aligned to the liberation movements (ANC and PAC) and to their allies (COSATU, SANCO or SACP).

400. The majority of these attacks were carried out by supporters of the ANC, who fell under no military command structures and usually did not have sophisticated weapons. This is borne out by Ciskei Police figures which indicate that of the attacks above, 64 per cent (484) were petrol bomb or arson attacks; a further 6 per cent (42) were classified simply as 'intimidation'. Of the remainder there were 84 attacks (12 per cent of the total) with hand grenades or bombs and 67 attacks (or 9 per cent) with firearms (AK-47s, R4 rifles or pistols).

401. There is also evidence that some SDU (Self Defence Units) structures were set up in the Eastern Cape in this period, and that they obtained arms from the Regional MK Command based in Mthatha.

Considering the numerous attacks on them, it is not surprising that the soldiers of the CDF believed that they were vulnerable and targeted by their own people. The Chief of Operations in the CDF, Colonel Horst Schobesberger, testified at the subsequent criminal trial that on the day before the massacre junior officers of the CDF refused to attend a church service at Battalion 1 Ciskei base as they believed they would be killed by members of Umkhonto weSizwe. It is therefore clear that the soldiers posted to the Bhisho Stadium on 7 September 1992 were extremely apprehensive of the citizens of Ciskei, especially when the latter were acting collectively. It was into this cauldron of fear and suspicion that the unsuspecting marchers were led on the day of the massacre.

The march on 7 September 1992 had its genesis in the political game of chess that was being played at the time between various political parties in South Africa. There were numerous parries and thrusts between the contestants. After President de Klerk's speech in parliament on 2 February 1990, in which he promised a unified government elected by universal suffrage, Nelson Mandela was released from prison and the ANC, PAC, SACP and UDF were unbanned. The various role-players then began negotiating how the new constitution would be considered and formulated. They agreed that this should be done by an 'all party congress' that was named the Convention for a Democratic South Africa (CODESA). It would be chaired by two judges, Ismail Mohamed and Petrus Schubert, and comprise 228 representatives from nineteen political parties and the homelands.[1]

CODESA, which commenced its negotiations on 21 December 1991, was delayed from time to time. The first delay was caused by President de Klerk calling a referendum to silence the right wing of the National Party, who maintained that he did not have a mandate to install a parliament of universal suffrage. The referendum, held during March 1992, was to decide whether the white electorate wished negotiations for a new constitution to continue. It resulted in a greater than two-thirds 'Yes' vote.[2] When negotiations recommenced after the referendum, at what was now known as CODESA 2, its proceedings once again ground to a halt, this time due to

[1] . Allister Sparks, *Tomorrow is Another Country* (Sandton, 1994), Struik Book Distributors,130.
[2] . - do - ,133.

differences between the two main political parties - the National Party and the ANC alliance.

At about the same time the Boipatong Massacre occurred. On the night of 17 June 1992 a posse of armed Zulu crept out of a migrant workers hostel near Boipatong Township, South of Johannesburg, and killed twenty-six women and children in the township. When three days later President de Klerk attempted a conciliatory visit to Boipatong, the crowd turned on him. He and his entourage had to flee, whereupon members of the South African Police, inexplicably and contrary to orders, opened fire on the defenceless crowd, killing thirty more people.[1]

The delay in CODESA 2 and the Boipatong outrage caused the balance of influence in the ANC to swing sharply to the radicals in its ranks. They contemplated a 'Leipzig Option'- the name given to mass demonstrations held three years previously in the streets of Leipzig, and other cities, that ultimately toppled the East German regime. Due to this pressure from its hawks, the ANC on 23 August 1992 adopted a resolution to target the governments of three particularly obstructive homelands, Ciskei, Bophuthatswana and KwaZulu, by means of mass action.[2] Ciskei emerged as the main target for this action as the ANC maintained that it could not call meetings in that homeland, and opinion polls showed that support there for its leader, Brigadier Gqozo, was negligible. The ANC hoped that if Ciskei and Gqozo were toppled it would have a domino effect on the other homelands.

On 3 September 1992 the ANC sent a memorandum to President de Klerk demanding that Gqozo be removed as ruler of Ciskei and be replaced by an interim administration that would allow free political activity in the area. De Klerk replied that he could not do so as Ciskei was a sovereign and independent state.[3]

Following its decision of 23 August 1992 to commence mass action, the ANC held marches throughout South Africa. Its members reconnoitered Ciskei and pronounced it

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[1] . Sparks, *Tomorrow,* 141 et seq & Omer-Cooper, *History of Southern Africa*, 249.
[2] . Sparks, *Tomorrow,* 147 & Nelson Mandela, *Long Walk to Freedom*, (London, 1994), 734.
[3] . Sparks, *Tomorrow,* 148

ripe for a popular insurrection. Ronnie Kasrils told a reporter: 'I have just spent a week in Ciskei and I have never encountered such hatred for a despot.'[1]

The first march to Ciskei took place on 4 August 1992 when 30 000 demonstrators marched from King William's Town towards Bhisho, the capital of Ciskei. They were well controlled by marshals, and were not aggressive. On crossing the South Africa/Ciskei border, near Bhisho Stadium, they were stopped by 50 members of the Ciskei Police Riot Squad and a few officers of the CDF. Negotiations followed between the leader of the march, Chris Hani (the Secretary-General of the South African Communist Party) and Brigadier Gqozo, who was in his office in the Legislative Buildings. Pik Botha, the South African Minister of Foreign Affairs, was the middle-man in the negotiations. He was in telephonic contact from Pretoria with both Hani and Gqozo, and he was striving for a negotiated and peaceful settlement of the matter. He pleaded that they 'gain time' to avoid bloodshed. It was agreed that the marchers could enter the stadium. Having done so, Chris Hani presented a petition to Gqozo's representative. The marchers then dispersed and returned peacefully to King William's Town. Common sense had prevailed and the negotiations had avoided a clash and bloodshed.[2]

During this march a gap was forced open in the northern aspect of the perimeter fence surrounding Bhisho Stadium, on a direct line from the stadium to Jongilanga Crescent and the business centre of Bhisho, which lies to the North of the stadium. The crowd pushed over supporting concrete poles and a portion of the fence itself.

The alliance planned a further march for 7 September 1992, which would proceed from the Victoria Grounds in King William's Town to an open area near the town of Bhisho. The avowed aim of the second march was to demand free political activity in Ciskei; the termination of the independence of Ciskei and its reincorporation into the Republic of South Africa, and the immediate removal from office of the Head of State, Brigadier Gqozo. It was stated that the demonstrators would remain at Bhisho until

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1. Sparks, *Tomorrow*, 148.
2. *Daily Dispatch*, 5 Aug 1992 & Interviews, Pik Botha, Pretoria, 28 Dec 2007.

their demands were met. Chris Hani is reported to have said: 'We are going to Bhisho to remove President de Klerk's kitchen boy.'[1]

As the leaders of the demonstrators had issued statements that were tantamount to a declaration of war against the sovereign state of Ciskei, it is not surprising that Gqozo stated that he would prevent the march entering Ciskei and, if necessary, use force to do so. The leaders of the tripartite alliance believed that Gqozo's threat to stop the march entering Ciskei 'at all cost' was mere rhetoric, and that he would not use force to do so. They were also adamant that, even if his threat to use force were genuine, the march would continue as the alliance would not be thwarted by 'the ranting of a tyrant.' They, however, realised that there was an outside chance of soldiers firing on the crowd, as had happened at Sharpeville, East Germany, Tiananmen Square and, more recently, Boipatong.

During the week prior to 7 September 1992 the leaders of the alliance toured the villages and rural areas in the vicinity of Bhisho, drumming up support for the march.

Meetings chaired by the Deputy Commander of the CDF, Colonel Dirk van der Bank, were held on 31 August and 3 September 1992, and attended by representatives of the CDF, SADF, and South African and Ciskei Police. It was agreed that the CDF would support the police. Gqozo was neither at these meetings, nor at the massacre itself: when it occurred he was in the Legislative Buildings.[2]

In view of the tense atmosphere and looming confrontation between the parties, many organisations and prominent people expressed their foreboding of a possible conflict and attempted to stop the march. These included the Border Council of Churches, National and Border Peace Committees, South African Police, President F.W.de Klerk, members of the South African parliament, Archbishop Desmond Tutu, the former Ciskeian Minister of Justice, Advocate Keith Matthee, and even Raymond Suttner, a member of the National Executive of the ANC.

The then commander of the CDF, Brigadier Oelschig, a professional soldier with

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[1] . *Daily Dispatch*, 17 Sep 1992
[2] . Interview, Louise Flanagan, Johannesburg, 28 Dec 2007.

vast experience in military matters, also strenuously opposed the march. He knew from his own experience and the history of such events that when armed security forces are confronted by a large crowd the slightest incident can trigger confrontation and lead to soldiers firing at the crowd. This happened at Sharpeville, Sebokeng, New Brighton, Luanda and Boipatong, where, despite no order having been given to do so, policemen and soldiers fired into defenceless crowds. The dangers inherent in the march would be increased by the recent cycle of violence in Ciskei and the soldiers' fear of the populace. He believed the march would not only be dangerous, but also that it was an absurd and foolhardy exercise, bearing in mind that the whole country was already well-set on the road to democracy. Due to his extreme opposition to the march, Oelschig on the day before the march met in King William's Town with two ministers from the South African government. He pleaded with them to stop the march, but their response was that they had neither the authority, nor the power to do so.

It does not appear that the South African government, or the SADF, or any third force was behind the tragedy. It was simply the outcome of a clash between the ANC alliance and the Ciskei government. The only criticism that can be levelled at the leaders of the South African government, apart from having originally created the homelands, is their omission to stop the march. The SADF could surely have done so before the demonstrators crossed the border into Ciskei. On the other hand, despite the march being fraught with potential danger, had South Africa intervened it would almost certainly have been accused of restricting free political activity.

The headlines of numerous newspapers added their forewarning of possible conflict: 'Bhisho showdown threat to peace' (*Weekend Post*, 5.9.92); 'ANC move on Bhisho threatens conflict' (*Weekend Argus*, 5.9.92); 'Ciskei op rand van oolong' (Ciskei on the brink of war – *Rapport*, 6.9.92); 'Warnings of bloodshed as troops mass ahead of ANC march' (*Sunday Times*, 6.9.92); 'Warnings of massive loss of life' (*Business Day*, 7.9.92); and 'Ciskei is a powder keg' (*Sowetan*, *Transvaler* and *Daily News*, 7.9.92).

All those who were concerned about the inherent dangers of the march gave a sigh of relief when, during the night of 6/7 September, two court orders were granted, which

hopefully would lessen the possibility of conflict. When Gqozo had, a few days before the march, discussed the matter with the South African Minister of Foreign Affairs, Pik Botha, his legal advisers and the ANC, Botha had recommended that the court orders be obtained. The first order was granted by the Supreme Court of Ciskei, directing the Magistrate, Zwelitsha to hear an application by the ANC for permission to hold the march; the second by the magistrate granting the marchers permission to hold the march and to enter Bhisho Stadium, but to go no further. During the morning of 7 September Gqozo accepted the terms of the magistrate's order. He instructed his security forces to allow the demonstrators to enter the stadium, but to prevent them proceeding elsewhere in Ciskei.

When testifying before the Truth and Reconciliation Commission (TRC) on 10 September 1996, Gqozo's deputy, Colonel Silence Pita, stated that on the day of the march all security arrangements were left in the hands of the CDF. He added that on that day Gqozo received a security report informing him that the ANC's military wing, Umkhonto weSizwe, planned a coup to overthrow his government and that it would 'take us where we did not want to be.' He also testified that prior to the massacre Gqozo had established a political party, the African Democratic Movement, and that there were violent clashes and killings between its followers and those of the ANC. The ADM wanted things done its way, and the ANC wanted them done in another way.[1]

At the same hearing of the TRC, Ciskei's erstwhile Minister of Foreign Affairs, Malcolm Webb, testified that in preparing for the march the Ciskei government wanted to prevent a possible invasion, insurrection and destruction of property.[2]

On 29 January 2002 Brigadier Oelschig, the Commander of the CDF, confirmed that before the massacre his military intelligence had warned that MK would fire on the soldiers. He added that he was satisfied that if the marchers had breached the ranks of the troops, many soldiers would have been killed.

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[1] . *Daily Dispatch*, 11.9.96.
[2] . - do - , 11.9.96.

The events of the day of the massacre can be followed on the rough illustration of Bhisho Stadium and its surroundings on page 145 hereof.

At 6:30 on 7 September 1992 Brigadier Oelschig deployed his troops in Bhisho Stadium, which is in Ciskei, no more than 100 meters to the North of the South Africa/Ciskei border, and also close to the main King William's Town/Komga road. When at 9:00 it became known that Gqozo would comply with the magistrate's order, the troops were withdrawn from the stadium and deployed in a semicircle, 200 to 500 meters to the North and East of the stadium. There were no soldiers to the South and West of the stadium. Those to the North of the stadium, in the vicinity of the street named Jongilanga Crescent, were defending the route from the stadium to the central business area of Bhisho. Those to the East were in front of the Legislative Buildings and the Bhisho Campus of the University of Fort Hare.

As stated above, the soldiers were extremely apprehensive about what would happen to them if the marchers managed to breach their ranks. This fear was not surprising due to the numerous attacks on the soldiers and their families in the recent past. The TRC subsequently found that 'the attacks on Ciskei Police and Defence Force members prior to and following the Bhisho Massacre were carried out by members and supporters of APLA and the ANC. The attacks resulted in gross human rights violations (killings, attempted killings, arson and severe ill treatment) for which the ANC and APLA are held accountable.'[1]

During the morning of 7 September 1992 80 000 demonstrators gathered at the Victoria Grounds, King William's Town, where they were addressed by various leaders of the alliance. They were told that they would proceed to Bhisho and that they would remain there until Gqozo and his government abdicated. Also that the leaders had been informed that the CDF soldiers would not fire on the marchers. The demonstrators were not told that there was a possibility that this could happen.

The crowd, which was not armed, then moved in an orderly fashion to the border. The march was led by leaders of the alliance - Ronnie Kasrils (Head of military intelligence

[1] . Truth and Reconciliation Commission of South Africa Report, Volume 3, 136.

in Umkhonto weSizwe and later the South African Deputy Minister of Defence and Minister of Water Affairs and Forestry), Steve Tshwete (later South African Minister of Safety and Security), Chris Hani, Raymond Suttner, Cyril Ramaphosa, Smuts Ngonyama and Tokyo Sexwale (all members of the National Executive Committee of the ANC), John Gomomo (President of COSATU), Harry Gwala (a member of the ANC, Kwa Zulu), Linda Mti (Chairperson of the Eastern Cape ANC), and Mluleki George (President of UDF).

On arrival at the border the marchers were met by John Hall and Anthony Gildenhuys of the National Peace Committee (NPC). Kasrils told them that the march would proceed to Bhisho and, no doubt because he realised this was a possibility, he implored the NPC to ensure that the soldiers did not fire on the marchers. Hall and Gildenhuys replied that the NPC had no authority over the soldiers, and requested that before matters got out of hand the leaders of the march should enter into shuttle diplomacy with the Ciskeian authorities. Kasrils stated that there was no time for such negotiations, which had taken a long time during the first march.

From the border the crowd was funnelled by razor wire barricades into Bhisho Stadium. Its vanguard proceeded in an orderly fashion into the stadium, where it was seated and awaited the start of proceedings.

When the leaders of the march discovered the gap in the perimeter fence to the North of the stadium, which had been made during the first march, they decided to take the marchers through it, across Jongilanga Crescent and into Bhisho. This decision was taken despite the leaders being aware that there were armed soldiers barring the way.

After the decision had been taken, Kasrils beckoned to those in the stadium to follow him. He led them out of the stadium, through the gap in the fence, and from there towards the soldiers to the North of the stadium in the vicinity of Jongilanga Crescent, whose duty it was to protect the route to Bhisho. When the marchers, who were now running, came to within a 100 metres of the soldiers, the latter opened fire. The marchers dived for cover and those who had not been killed or injured fled back to the stadium.

There is little doubt that when Kasrils led the marchers through the gap in the fence and on towards the soldiers at Jongilanga Crescent, he must have realised that the soldiers could open fire. He was well aware of the Sharpeville and other massacres, where soldiers or police had opened fire on unarmed demonstrators. With that knowledge he could hardly have dismissed the possibility of something similar happening at Bhisho.

During 2001 two soldiers, Lieutenant Colonel Vakele Mkosana, the Commander of Ciskei 1 Battalion and on the day of the massacre the Ground Commander at the stadium, and Rifleman Mzamile Gonya, who fired two hand grenades at the marchers, were charged with murder for their part in the massacre. Both were stationed on the Command Buffel near Jongilanga Crescent. Mkosana was in constant radio contact with the Deputy Commander of the CDF, Colonel Dirk van der Bank, who in turn was in contact with the Commander of the CDF, Brigadier Marius Oelschig.

In his evidence at the trial Mkosana stated that when Kasrils and the marchers ran towards him and the other soldiers at Jongilanga Crescent, he heard shots being fired. He then contacted Colonel van der Bank by radio and twice told him: 'They are shooting at us. What must I do?' Van der Bank sought instructions from Brigadier Oelschig, who replied that if the crowd was shooting at them they could return the fire. Van der Bank relayed this message to Mkosana who then gave the order to the troops at Jongilanga Crescent: 'Minimum force, fire!' The troops in Mkosana's vicinity then opened fire on the approaching marchers. Soon afterwards the soldiers in front of the Legislative Buildings, to the South/East of the stadium, opened fire on the marchers who were still approaching the stadium in a dense mass from the South. Mkosana then repeatedly shouted into the radio: 'Cease fire!' [1]

Both Mkosana and Gonya testified that they had been told by their officers that there would be armed members of Umkhonto weSizwe in the crowd who would fire at the soldiers. The mood of the troops was one of fear at having to stop such a large crowd, whose members were hostile to the soldiers and who had recently carried

[1] . Judgment in State v.Vakele A. Mkosana and Another, 23.

out many attacks on them. Mkosana subsequently stated: 'It was public knowledge that during 1992 soldiers serving in the security forces of the Republic of Ciskei were regarded as traitors and puppets by their fellow black people, including one's own family and friends. In whatever neighbourhood one resided, attacks upon soldiers and their families and friends, and social and political pressures directed against soldiers were nearly unendurable.'[1]

In their evidence at the trial the two soldiers stated that when the marchers, led by Kasrils, rushed towards them they heard rifle shots being fired at them and that they feared for their lives if the marchers managed to reach them. Although the court made a specific finding that the marchers did not fire on the soldiers, it was concerned about the evidence not only of Mkosana and Gonya, but also of some of the marchers, that they heard firing prior to the soldiers opening fire. When it was suggested that those present could have mistaken the crack of the blades of helicopters flying overhead to be rifle fire, the court decided to test for itself this possibility. It ordered a helicopter to fly over it at an inspection-in-loco. The court found that when the helicopter was flying in a certain position the crack of its blades was similar to the sound of rifle fire. It therefore found that both the members of the crowd and the soldiers could have mistaken the crack of blades of helicopters flying overhead to be rifle fire.

The court also held that even if the soldiers had not heard shots being fired at them, their fear that they would be killed if the advancing crowd reached them was reasonable in view of the volatile situation in Ciskei at the time and the attacks on their members in the recent past. The court therefore found that when Mkosana gave the order to fire, and Gonya fired the two hand grenades, they had done so in justifiable self-defence. There was also no evidence that the two hand grenades that Gonya fired had struck anyone. The two accused were accordingly found not guilty and discharged.

In his book, *Armed and Dangerous,* Kasrils contends: 'I believe we walked into a deliberate ambush.'[2] This conclusion he based on his belief that there were SADF vehicles present at the scene on the day; that the gap in the perimeter fence of the

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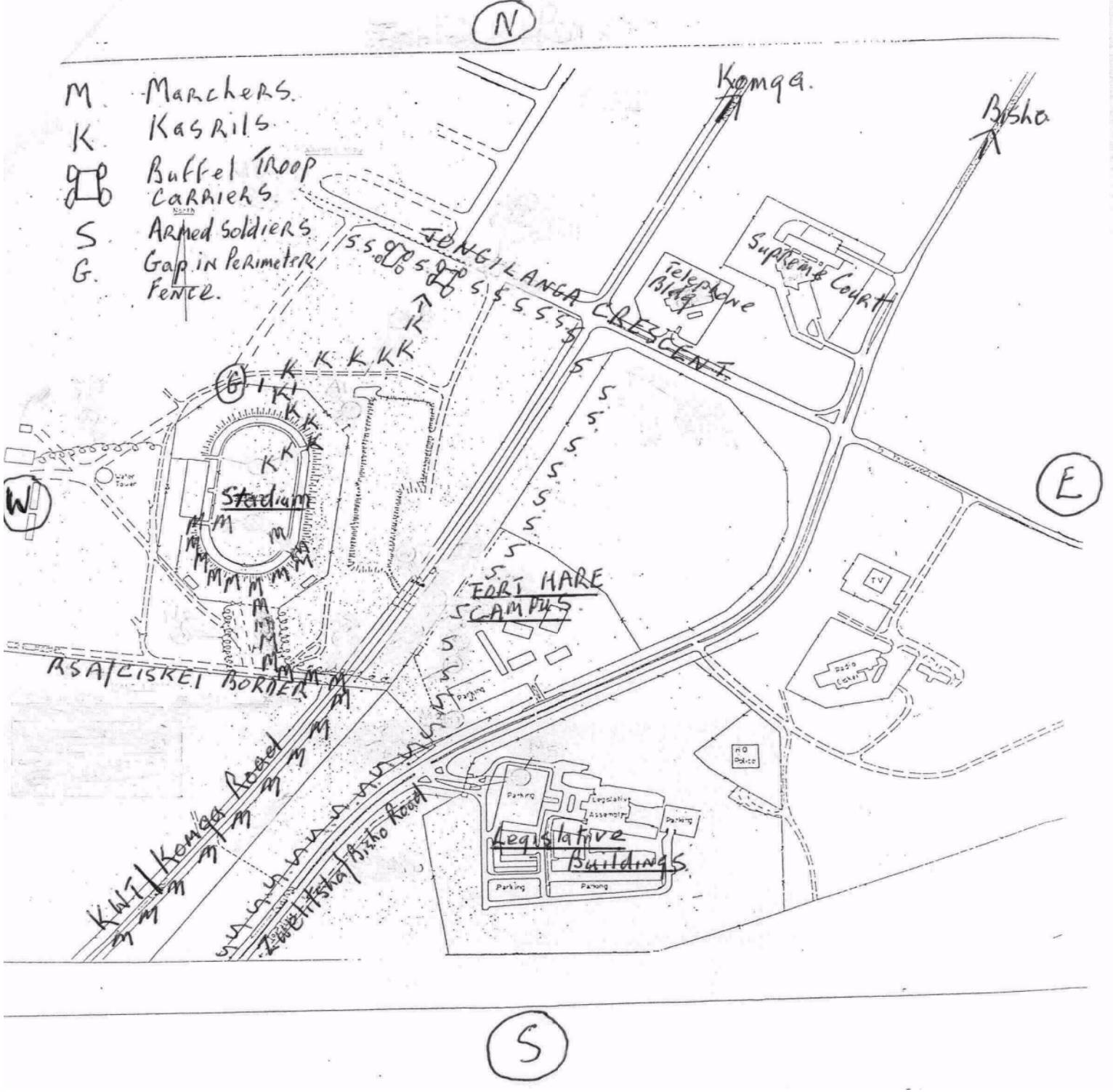
[1] . Stiff, *Warfare*, 526.
[2] . Ronnie Kasrils, *Armed and Dangerous* (Oxford, 1993), 364.


N
M. Marchers.
K. Kasrils.
Buffel Troop Carriers.
S. Armed Soldiers.
G. Gap in Perimeter Fence.
Komga.
Bisho
JONGILANGA CRESCENT.
Telephone Bldg.
Supreme Court
Stadium
FORT HARE CAMPUS
RSA/CISKEI BORDER
Komga Road
Bisho Road
Legislative Buildings
Parking
TV
W
E
S

stadium had been purposely made by the CDF; that there were soldiers to the West of the stadium, and that the soldiers at Jongilanga Crescent were obscured. The evidence given at the criminal trial, which was supported by videos taken on the day of the massacre, refuted all these suggestions. There were no SADF vehicles present in Ciskei on that day; the gap in the fence was made by the demonstrators during the first march on 4 August 1992; there were no soldiers to the West of the stadium, and the soldiers and Buffel troop carriers at Jongilanga Crescent were visible from the stadium and to the approaching marchers.

Lastly, Kasrils' contention that he led the marchers in a north-west direction from the stadium, so as to circumvent the soldiers at Jongilanga Crescent, whereafter he would turn eastwards behind the soldiers and proceed to Bhisho, was also contradicted by evidence given at the criminal case. The court had the following to say in its judgment about this aspect of Kasrils' evidence:[1]

> Minister Kasrils has related the events which occurred after the marchers approached the barricade. We were impressed by his demeanour in the witness box and his general attitude to events which occurred on that day...We have no hesitation in finding that Kasrils was an honest witness.....There are two aspects on which Kasrils was clearly wrong. As the court has stated above, he was, however, such a good witness that we are satisfied that these errors were not purposely made, but that they are genuine misconceptions on his part. The first is that he was running in a North/West direction with a view to circumventing the soldiers in Jongilanga Crescent. This evidence is clearly wrong. His own evidence, the blood found at 'B' on the dirt road, and what can be seen on the videos, all clearly show that he was leading the break-away group North, directly towards the soldiers at Jongilanga Crescent.....The second aspect on which he errs is that on reaching the dirt road to the North of the stadium the break-away group did not turn in an Easterly direction. On the videos it can be seen clearly

[1] . Judgment in State v.Vakele A.Mkosana and Another,23.

> how the head of the running break-away group, which is a dense crowd at the time, reaches the dirt road and then turns and runs in an Easterly direction along the road; it does not move far along the road, then stops and runs back in the direction from which it came. Its about-turn was obviously occasioned by the gunfire from the soldiers.

Captain Ayanda Kema was the field commander of the troops in front of the Legislative Buildings, which are situated to the South/East of the stadium. On hearing the firing to the North of the stadium he, incomprehensibly, gave the troops under his command the order to fire. They then opened fire on the dense mass of demonstrators which was approaching the stadium from the South. These marchers were either still on the King William's Town/Komga road, or already between it and the stadium. It was here that most of the fatalities occurred and also the soldier who died was shot and killed from behind by his fellow soldiers. It is a miracle that thousands of marchers were not killed when this shooting took place.

It is generally believed that the reason why many more demonstrators were not killed at this spot, where the soldiers fired at the thick mass of thousands of marchers from no more than 200 metres, must be ascribed to their poor marksmanship. This explanation is, however, not convincing, bearing in mind the close proximity of the soldiers and the size of the target. Even a novice, who had never fired a rifle before, could not have failed to hit such a large target from that distance. A more feasible explanation is that many of the soldiers did not have the heart to fire into a defenceless crowd of their fellow-citizens, and deliberately aimed their fire above the marchers. The latter conclusion is borne out by the fact that their fire destroyed many telephone and electricity poles in the area, and also denuded the trees above the marchers of their leaves.

There was no reason for the soldiers deployed to the East of the stadium to open fire on the defenceless crowd. They were neither under attack, nor in any danger. It was a wanton attack on innocent, unarmed demonstrators. When Captain Kema, who gave the order to fire, testified in the criminal case he was asked why he had given the order to fire. He offered the puerile excuse that on hearing single shots being fired from the

vicinity of Jongilanga Crescent, he thought all the troops were under attack. Although Kema's statement reflects the fear in the minds of the soldiers at the time, his actions were nevertheless inexcusable. In the criminal case the court made the following finding about Captain Kema's order to the troops in front of the Legislative Buildings to open fire:

> On Kema's own evidence his order to fire was totally unjustified. He admitted that when he gave the order to fire the marchers posed no threat to his company. He had not seen any of them carrying arms, nor had they fired any shots at his soldiers. The soldiers were not being threatened at the time and they were in no danger whatsoever. Their action was no less than a wanton and brutal slaying of innocent people. The court reiterates that the shooting into the crowd to the South and the East of the stadium was totally unwarranted and that it constituted a grave assault on the marchers. We can only express our surprise that none of the soldiers who took part in this wanton killing has been charged, especially as it was evidently in this area that the greatest number of marchers were killed and injured.

After the firing ceased the bulk of the marchers fled back to King William's Town and the wounded were removed from the scene by ambulances. Some of the marchers, including Kasrils and Hani, remained in the area to the South of the stadium till the next morning.[1]

In its report issued in 1996 the Truth and Reconciliation Commission found that the break-out through the gap in the perimeter fence of the stadium was taken pursuant to a decision by the leadership of the march. This decision and its execution were, so the finding continues, in contravention of the court order and exhibited a lack of prudence. It contributed to the volatile and unpredictable situation prevailing at the time and elicited the illegal response of the CDF. The leadership of the march must, so the finding continues, therefore be held partially accountable for the gross human rights

[1] . Kasrils, *Armed*, 362.

violations that followed. The commission also held that Brigadier Gqozo, in his capacity as head of Ciskei and the CDF, was accountable for the violations. Lastly, the CDF was similarly liable, especially as the troops were issued with weapons and ammunition which were not suited for crowd control, and furthermore, they failed to fire warning shots. The commission granted indemnity to all persons involved in the massacre, save for Lieutenant Colonel Mkosana and Rifleman Gonya.[1]

Two aspects of the commission's finding are contentious. The first is that if it were seeking scapegoats, why did it not find that Captain Kema and the soldiers to the East of the stadium were culpable for having fired, for no rhyme or reason, into the harmless and defenceless crowd that was entering the stadium. Their opening fire far exceeds the culpability of Mkosana and Gonya, who fired at what they considered to be a hostile crowd that was not only running directly towards them, but was also (so they believed) firing at them. Kema's act of wanton murder seems to have been overlooked by the commission, possibly because it did not have a clear picture of all the facts. The second aspect is that the commission ignored the request of the then Deputy Minister of Defence, Ronnie Kasrils, that all the soldiers who were involved in the shooting be granted amnesty. The court in the criminal case commented as follows on the commission's failure to accede to Kasrils request: 'The court can only regret that the Truth and Reconciliation Commission did not accede to this magnanimous and healing gesture of the minister.'[2]

In its judgment the court referred as follows to the decision of the leaders of the march to take the demonstrators through the gap in the fence and on towards the soldiers:[3]

> The decision to let the marchers run through the gap in the fence towards the soldiers and Bhisho was an egregious error on the part of the leaders of the march. They had been warned by all and sundry that a confrontation between the marchers and the soldiers could lead to bloodshed; they

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[1] . Truth and Reconciliation Commission of South Africa, Volume,143.
[2] . Judgment in State versus Mkosana and Another, 19.
[3]. - do - , 29.

> knew that the object of the march was to dethrone a man they considered to be a tyrant; they knew that he had threatened to use force to prevent the marchers entering Ciskei; they knew that now, unlike on the previous march, he had deployed his army around the stadium; they knew that they were leading the marchers into a cauldron of nervous and apprehensive soldiers, who were armed to the teeth and could shoot at the slightest pretext, and they knew that taking the crowd through the gap in the fence would be a highly provocative act. Kasrils and Ramaphosa testified that they thought that if the soldiers intended stopping the marchers they would do so by warning them or firing tear gas or rubber bullets. ..... The only conclusion we can draw is that the wisdom and common sense of the leaders when deciding to lead the marchers through the gap in the fence was clouded by the zeal of their cause or their misplaced naivety concerning the attitude and intention of the soldiers. Whatever reason lay behind the decision, it is manifest that its fulfillment in breaking through the gap in the fence and running towards the soldiers…….was the catalyst of the events which culminated in so many tragic deaths. Various witnesses have testified that if the marchers had confined themselves to the stadium, no blood would have been shed. We, however, hasten to add that although this was a provocative act, it does not necessarily per se exonerate the accused for any acts they may have committed. It did also not warrant the senseless shooting of marchers to the South of the stadium.

There seems no reason to disagree with the findings of both the TRC and the court that the leaders of the march were to blame for the deaths that occurred on that day. Had the leaders complied with the court order and taken the marchers no further than Bhisho Stadium, there would surely have been no tragedy. One can only stand amazed at what the leaders did and, like the court, wonder what the true motive was behind their actions.

In an article under the heading 'Bhisho: Who's to blame,' published in the *Daily Dispatch* on 10 September 1992, the renowned journalist Allister Sparks gave his perception of the

culpability of the various parties who were involved in the massacre. The following are extracts from the article:

> A few things need to be clarified...The first is to apportion responsibility appropriately. The second is that we must accept that there has to be free political activity and open electioneering in all parts of the country. A third is to note that there is a critical line between protest and insurrectionary action.
>
> I have been appalled by the instinctive reaction of most whites to place the blame for the massacre on the protesting marchers. They are accused of being irresponsibly provocative in a situation they should have known would lead to violence, which seems to me like blaming the lady for getting raped.
>
> Did we blame the students of Tiananmen Square for irresponsibly provoking the Red Chinese soldiers with their demonstrations? Or the Hungarian demonstrators for getting their people shot when they marched against the Russian tanks in Budapest in 1957? It doesn't require a whitewashing of all the ANC and SACP demonstrators did at Bhisho to see clearly where the overwhelming weight of culpability lies. There is nothing in this world that can justify opening fire with automatic weapons on an unarmed crowd…...That is a crime against humanity beside which any other act of provocation or negligence pales into insignificance.
>
> It is fundamental that there should be free political activity and open electioneering in all parts of the country.
>
> There can be no doubt, therefore, that the ANC was justified in mounting a mass action demonstration to protest against the repression of its right to free political activity in Ciskei.
>
> What the ANC was not justified in doing, however, was to cross the thin red line that separates democratic protest from revolutionary action. The

> moment the decision was taken to try to storm the capital and occupy it until Oupa Gqozo agreed to resign, then the protest march became an attempt at insurrection. It was no longer just a demonstration to demand that Gqozo open up Ciskei to free political activity, it became an attempt to overthrow him. There are of course times when revolution too is justifiable. But not when you have foresworn it and committed yourself to a negotiated settlement. For then you call your own integrity into question.
>
> This is where those who led the Ciskei demonstration erred. The moment they embarked on that charge towards Bhisho they violated their own commitment. They yielded to the impulsiveness of the unreconstructured revolutionaries amongst them and harmed their own cause by clouding the issue they had striven so hard and at such cost to dramatise.
>
> It was wrong and it was foolish but it was not in the same league as the crime of mass murder committed against them.

Much of what Mr. Sparks states is correct, but some of his premises appear convoluted. He maintains that the ANC had the right to mount a mass action demonstration. No one, eventually not even Gqozo, disputed that fact. The ANC alliance was accordingly granted the right to demonstrate and enter Ciskei and Bhisho Stadium.

On the one hand Mr Sparks accepts that the leaders of the march erred and acted unlawfully when they fulfilled the stated object of the march and broke out of the stadium and headed for Bhisho: they had then 'yielded to the impulsiveness of the unreconstructed revolutionaries amongst them.' On the other hand he equates the marchers (I accept that he is here referring to the leaders of the march who gave the instruction to break out of the stadium) to the innocent woman who has been raped. Guilty, but not guilty!

So too does the analogy to the students of Tiananmen Square or the Hungarian demonstrators not seem apposite. Those students and demonstrators had neither been promised a democracy in the near future, nor been given the right to demonstrate, which right they had purposely abused. Even more dissimilar is that they had not in the days

preceding the demonstration attacked, and even killed, colleagues of the soldiers they were now approaching. Lastly, was it ever alleged that those demonstrators would fire on the Chinese or Soviet soldiers?

Everyone will agree with Mr Sparks when he postulates that, in general terms, opening fire with automatic weapons on an unarmed crowd cannot be justified. This premise clearly applies to Captain Kema and his soldiers who opened fire on the harmless crowd that was approaching the stadium from the South. The premise can, however, not be cast in stone as there can obviously be exceptional circumstances that could justify such shooting. Kema's shooting into the crowd to the South of the stadium was a far cry from what happened to the North of the stadium. Mkosana and his troops faced a crowd of a few hundred that was rushing at them. They had been told that the crowd would fire at them; they knew that members of the crowd had recently violently attacked and killed their colleagues; they heard gunfire, and they feared that if the crowd entered their ranks its members would kill them. Were Mkosana and his troops under those circumstances not entitled to use their fire arms to protect themselves?

One is reminded of what happened when the mob in the French Revolution stormed the palace and breached the defences of the 560 Swiss Guards. The mob killed them to a man.[1]

Shooting to kill must undoubtedly be only a last resort. Firing warning shots in the air must surely be the first attempt to stop an approaching crowd. This requirement would, however, depend on the circumstances of each case and one must be wary of over-simplifying or taking an armchair attitude of the matter. To make a decision in the heat of battle is vastly different to making a decision in the calm of one's home or office. Such facts as the actions of the crowd, its size, its intent, the distance from the soldiers, the speed at which it was approaching, etc, must all be considered.

[1] . C.Hibbert, *The Days of the French Revolution* (London, 1980), 130.

One wonders if Sparks has not succumbed to the generally accepted superficial view that because the soldiers shot and killed 29 marchers and one of their colleagues, therefore they and their leader, Gqozo, are to blame for the tragedy. Perhaps the court in the criminal case was in a better position than Sparks to evaluate the dangers that Mkosana and his fellow soldiers faced. If Sparks had the same knowledge of the facts as the court did, would he not also have opined that the fear that Mkosana and the soldiers at Jongilanga Crescent experienced was under the circumstances reasonable and that they were were therefore entitled to shoot in self defence? The then Minister of Health, Dr Henk Kayser, recalls an informative incident that occurred on that day. His black secretary was one of the civil servants who remained in her office in the Legislative Buildings. She was pale with fright for what would happen to her should the demonstrators reach her office. This was not surprising as she had previously received death threats to her son because she was working for the Gqozo regime.[1]

The question of self defence does not, however, apply to Captain Kema and the other soldiers who fired into the dense crowd to the South of the stadium. They had no reason whatsoever to do so and if they had been charged they would surely have been convicted of murder. It was obvious that the wrong soldiers were indicted.

As Ronnie Kasrils had led the marchers out of the stadium and into the fire of the soldiers, the spotlight fell squarely on him. Overnight he became the hero of the hawks and the villain of the doves. In his book, *Armed and Dangerous*, Kasrils in a chapter under the heading 'Going for the Gap' gives a somewhat superficial account of the massacre. He deals mainly with the factual events of the day itself and glosses over the futility of the march and the deep-seated causes of the tragedy. He makes no mention of the fact that South Africa and Ciskei were at the time well on the way to becoming a unified democracy; that it was the avowed intention of the leaders of the march to overthrow both Gqozo and the Republic of Ciskei; that all and sundry had warned that violence could erupt and had therefore advised against the march, or that a court order had been issued restricting the marchers to Bhisho Stadium. He does also not mention the dangerous and on-going violence against the soldiers at the time, or their fear of the populace and Umkhontho weSizwe, whom they believed would be in the

[1] Interview, Dr Henk Kayser, East London, 8 Dec 2007.

crowd and would fire at them. He regrets that he has been made the 'fall-guy' of the massacre and stresses that it was 'unanimously agreed' by the leadership of the march that he and Chris Hani should lead the marchers through the gap in the fence.[1]

It is manifest that the leaders of the march underestimated totally the resolve of Gqozo to protect his identity, that of Ciskei and also the business area of Bhisho, and not to allow the demonstrators to proceed beyond the stadium. There was simply too much flippant talk about 'F.W.de Klerk's kitchen boy,' 'F.W.'s puppet,' 'Tin soldier,' etc., and too little acceptance of the resolve and determination of Gqozo, the leader of a sovereign and independent state.

Kasrils subsequently agonised before the TRC about his part in the massacre:

> I accept in a profound moral sense that I was an element in the events that culminated in the massacre, and it still haunts me that perhaps we could have done more to avoid the terrible outcome[2]

The 'terrible outcome' could have been avoided by the leaders simply accepting and abiding by the terms of the magistrate's order, and remaining in the stadium. The demonstrators would then, as in the first march, have made their point and shown their objection to Gqozo, and everyone would have left peacefully for home. There would have been no deaths, no tears and no recriminations.

Let us now consider the unjustifiable or inexcusable steps, if any, that Brigadier Gqozo, as ruler of Ciskei, took concerning the massacre. His first decision, to refuse the marchers entry into Ciskei was hardly surprising in view of their declared intention of overthrowing him and his government. The anarchy in the country and the inherent danger to the businesses in Bhisho if the marchers entered the town were further reasons to deny the marchers entry into Ciskei. At that time headmen, government employees and members of the security forces were being attacked, and government buildings and private homes were being burnt down. The anarchy and looting that occurred for three days after Gqozo came to power must also have been fresh in his mind. Can he

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[1] . Kasrils, *Armed*, 360 et seq.
[2] . TRC Report, Vol. 2, para 181.

be blamed for believing that the same fate awaited Bhisho, which is a mere two kilometers from the border and Bhisho Stadium, if the marchers were allowed into the capital? For these reasons Gqozo can hardly be faulted for having originally refused permission for the marchers to enter Ciskei. It would surely have been a grave dereliction of duty had he allowed his citizens, and the businessmen of Bhisho, to be placed at the mercy of the demonstrators. The subsequent irresponsible and wanton disregard of the court order by the leaders of the march is ample proof of what could have happened had the marchers entered Bhisho. Their unlawful actions are surely complete justification for Gqozo's original refusal.

Gqozo's next decision was to abide by the order of the magistrate and to allow the marchers into Bisho Stadium. He announced that the marchers would be allowed into the stadium, but not allowed to proceed further, and that the army would prevent them entering Bhisho. The acceptance of the court order reflects his statesmanship on this occasion.

Was he wrong to instruct the CDF to see that the marchers did not proceed further? It does not seem, in view of the dangers spelt out above, that he can be faulted in this respect. The marchers' desire to demonstrate could be fulfilled by marching and occupying the stadium, and there appeared no need for them to proceed further. If they wished to continue to Bhisho, that desire must have been motivated by some ulterior motive, e.g. to nullify the authority of the Ciskei government within its own capital, which Gqozo was fully entitled, if not duty bound to prevent.

What exonerated Gqozo from blame on the political level was that he did not follow his own bidding on the matter, but rather deferred to higher authority within the South African government. He and his government discussed and negotiated the matter with the South African Minister of Foreign Affairs, Pik Botha, and his legal advisers and also with the ANC. It was during these negotiations that the parties agreed that the demonstrators would be allowed to enter Bhisho Stadium, but not allowed to proceed further. It was also agreed that although the soldiers would protect the marchers, they would also prevent them stepping out of line. Botha then advised

the ANC to apply for a court order authorising the march, which he believed would have a restraining effect on all those involved.[1]

On the military level it is not clear whether the officers of the CDF, Oelschig and van der Bank, would have taken orders from Gqozo. Should he therefore, in view of this uncertainty, have instructed the CDF that the soldiers must use tear gas and fire warning shots in the air?

Although it is not for a political leader, or a member of the executive to instruct the army how to conduct an operation, it does seem, in the special circumstances of this case, that Gqozo should have instructed the officers of the CDF to ensure that all possible peaceful means were taken to stop the marchers before resorting to firing on them. Gqozo's failure to do so must be held against him.

Gqozo's absence from the actual scene of the massacre could also be held against him. That morning he went to sign a contract for the construction of a new road joining Peddie to the coastal road from East London to Port Elizabeth, and when he returned to Bhisho he went to his office in the Legislative Buildings.[2] Although he was entitled to believe that the marchers would not be so stupid as to confront the armed soldiers and would rather comply with the court order, he should have realised that his physical presence closer to the scene when the marchers arrived could have led to negotiations and the avoidance of violence and bloodshed. On the other hand, he was, as during the first march, available for negotiations in his office in the Legislative Buildings. He would naturally have been condemned, quite justifiably, if he had taken personal control of the soldiers and ordered them to fire on the demonstrators. We know that he did not do so.

It seems therefore that on the question whether Gqozo must be censured for his actions before and during the massacre, that there are certain aspects on which he, as the head of the state, fell short of expectations, and on which he must be criticised. The first is that he failed to ensure that the CDF would take all reasonable and peaceful steps to stop the marchers before resorting to firing at them. The second is that he, either purposely or inadvertently, withdrew himself from the essence of what was about to happen, and thereby abdicated his authority concerning the events. The third is that he failed to take part in certain discussions which preceded the march. The fourth and most serious

[1] . Interviews, Malcolm Webb, East London, 16 Jan 2007 & Pik Botha, Pretoria, 27 Dec 2007.
[2] . Interview. Brig.Oupa Gqozo, Blacklands, 13 March 2008.

omission arises from a statement by Reverend Bongani Finca. He relates that on the morning of the massacre the leaders of the march gathered in his office in King William's Town. He then went to the Amatola Sun Motel, near Bhisho, where he met a member of the National Peace Committee, Dr Anthony Gildenhuys. In an attempt to stop the march they telephoned Gqozo and told him that if he stood down as ruler of Ciskei, the march would not go ahead. Despite their pleas, he refused to do so. At that stage everyone, including Gqozo realised that the march could have disastrous and tragic results. Despite this knowledge, and his ability to stop the march and thereby prevent any violence and bloodshed, Gqozo refused to stand down. Why did he not do so? Was it pride, megalomania, or fear for the welfare of his people? Hardly the latter. It is inconceivable that he refused to do then what he did eighteen months later when he resigned to avoid possible violence and bloodshed.[1]

Concerning the participation of the ANC alliance in the Bhisho Massacre, two questions come to mind: what motivated the alliance to, firstly, embark on the mass action campaign, and, secondly, to lead the marchers out of the stadium? Both Mluleki George, the then President of the UDF, and Bongani Finca, the Chairman of the Border Council of Churches, state that the ANC alliance embarked on the mass action campaign because it believed that President de Klerk was stalling the negotiation process and that he would keep the liberation movement at bay indefinitely.[2] Vis-à-vis the second question, Ronnie Kasrils, after stating in his book, *Armed and Dangerous*, that it was a joint decision of the leadership of the march to break out of the stadium, continues as follows:[3]

> Our error of judgment in planning the Bhisho march was to assume that in the presence of the international press and observers from the Peace Committee, the Ciskeian forces would not dare open fire. We assumed that Pretoria would counsel Gqozo against such an option.

This reason for leading the demonstrators out of the stadium was amplified by Kasrils and Ramaphosa when they testified at the criminal trial that they thought 'if the soldiers intended stopping the marchers they would do so by firing warning shots, tear gas

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[1] . Interview. Rev.Bongani Finca. East London. 22 Feb 2008.
[2] . Interviews Mluleki George, King William's Town, 25 March 2008 & Bongani Finca, East London, 22 Feb 2008.
[3] . Kasrils, *Armed*, 364.

or rubber bullets.' These statements reflect a woeful ignorance of the fear and psychological state of the soldiers on the day of the massacre.

On the other hand Mluleki George, the President of the UDF and one of the leaders of the march, who possibly understood better the fears of the soldiers, states that he did not trust the soldiers and that he believed they would fire at the marchers. He, regrettably, was not consulted before the marchers were led out of the stadium.[1]

Before appearing before the Truth and Reconciliation Commission on 17 November 1996, Gqozo stated at a press interview:

> I regret that it (the massacre) happened when my government tried so hard to avoid it. I accept that because of my position as head of government I have to apologise for the fact that so many lives were lost. I also sympathise with the families, but I do not feel personally responsible for the massacre taking place.

When testifying before the TRC he stated that the SACP's 'subtle revolutionary influence,' under the guise of the ANC, had caused the death of 29 marchers. He continued that the alliance's mass action campaign was directed at homelands that did not support the ANC. 'I am convinced Ciskei was targeted as it was probably regarded as the weakest of the homelands that were not sympathetic to the ANC, and hence where such a campaign was likely to succeed.' He said that he could not understand the alliance's attitude as there was no apartheid in Ciskei, and he had earlier unbanned political parties. He felt that as head of government he had to protect his people from being terrorised in the name of the struggle. He concluded by saying: 'The alliance in contrast showed no sorrow for their actions, which led to the deaths of many people, and instead remained determined to do the same in Bophuthatswana.'

On 16 September the names of the 28 victims, and one soldier, were published in the *Daily Dispatch*. They were from the four corners of Ciskei – Sada, Healdtown, Alice,

[1] . Interview, Mluleki George, King William's Town, 25 March 2008.

Seymour, Middledrift, King William's Town, Bhisho, Peddie, Frankfort, Zwelitsha, Newlands and Mdantsane. They had come on an exciting outing, full of hope and zeal instilled in them by their leaders, only to die at the foot of the citadel where, in future years, the men and women from their areas would meet and make the laws of the country.

Two days later, on 18 September 1992, twelve of the victims were buried at a mass funeral in King William's Town, attended by 50 000 mourners. After the funeral buildings in Mdantsane were torched, a hotel was ransacked and several people shot. Elsewhere at least five more people were shot, and damage running into millions of rand was inflicted on property.[1] It was ironic that the very anarchy and mayhem that Gqozo had attempted so strenuously to avoid, should now occur!

Soon after the massacre three commissions of enquiry were appointed to consider the events of that fateful day. The first commission, chaired by Mr Justice Goldstone, tabled its findings on 30 September 1992. It criticised the leaders of the march for not having informed members of the National Peace Committee, who were on the scene, that they intended breaking the conditions of the magistrate's order by leaving the stadium and proceeding to Bhisho. The commission castigated the soldiers of the CDF for having fired indiscriminately and for a prolonged period - two minutes - on fleeing demonstrators, killing 28 and wounding hundreds. The soldiers acted 'unacceptably and reprehensibly' and what they did overshadowed the marchers' contravention of the magistrate's order. The commission called on the ANC to 'publicly censure' Kasrils for having led the marchers out of the stadium and 'knowingly or negligently' exposed them to the danger of death or injury. All that came of the admonition was a statement by the ANC that the decision to lead the marchers out of the stadium was 'a collective decision of the leadership of the ANC and its allies for which we bear collective responsibility.' Ms Gill Marcus of the ANC stated that it had not ruled out censuring the leadership concerning the Kasrils breakaway action, but added that this would happen in private.[2]

The second commission of enquiry was chaired by the Chief Justice of Ciskei, Mr Justice Pickard. It found that the leaders of the march had led the demonstrators toward

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[1] . *Daily Dispatch*, 19 Sep 1992.
[2] . Report by the Goldstone Commission of Enquiry.

the CDF's guns 'like lambs to the slaughter.' He added that the troops to the North of the stadium in the vicinity of Jongilanga Crescent, who fired on the charge led by Kasrils, may have been justified in firing 'some shots,' but the firing by the soldiers to the East of the stadium, was totally unjustified and that they had overreacted. The ANC rejected this report 'without consideration or qualification.' It is interesting to note that in the criminal trial against Mkosana and Gonya, which was heard in 2001/2002, the court, although it was unaware of the findings of the Pickard Commission, unwittingly echoed them in its judgment.[1] It is also amazing that despite the findings of the Pickard Commission, not one of the soldiers to the East of the stadium was indicted for murder.

The third commission of enquiry was held by the CDF. Its report was submitted to the Minister of Justice, but not released to the public.[2]

In May 1993 Ciskei's Attorney-General, Willem Jurgens, announced that he had drafted a provisional indictment of murder, attempted murder and culpable homicide against Ronnie Kasrils, 67 CDF soldiers, and two policemen. Some of the soldiers charged were from those who fired from in front of the Legislative Buildings at the marchers who were still entering the stadium. A few days later the Council of State issued the Special Indemnity Decree, 7 of 1993, which indemnified against criminal prosecution anyone who committed an offence at the time of the massacre. It did so because it believed that criminal prosecutions would impact negatively on the multi-party negotiations which were in progress at the time at CODESA. The Decree was condemned throughout the region and the ANC greeted it 'with horror.'[3]

A few months later the Supreme Court of Ciskei declared the Special Indemnity Decree, 7 of 1993, to be contrary to the bill of rights and therefore null and void.. The history of this Decree is discussed in more detail in Chapter 3.5.

In 2001 the Truth and Reconciliation Commission granted amnesty to all those involved in the massacre, save for Lieutenant Colonel Vakele Mkosana, who was the Commander of Ciskei 1 Battalion and the ground commander of the troops on the day of the

[1] . Stiff, *Warfare*,,572 & judgment in criminal trial.
[2] . Interview, Louise Flanagan, Johannesburg, 28 Dec 2007.
[3] . *Daily Dispatch*, 19 May 1993.

massacre, and Rifleman Mzamile Gonya, who had fired two grenades at the marchers. As has been stated above, the refusal to grant indemnity to these two soldiers, and the granting of indemnity to Captain Kema and the soldiers under his command, who for no rhyme or reason fired into the approaching crowd to the South of the stadium, is incomprehensible.

A monument has now been erected, half-way between the robot on the King William's Town/Komga road and the Bhisho Stadium. It is no more than a wall of remembrance, approximately twenty meters long and four metres high, with a slab of black marble in the middle bearing the names of the 28 civilian victims: 'l.Tembinkosi Billie, 2.Peter Booi.....27.Luzuko Ramncwana, 28.Zanethemba Benjamin Skepu,' The name of the dead soldier, Rifleman Vusumuzi Nqabisa, is conspicuous by its absence. On the slab are inscribed the magnificent words of that hero of the struggle, Oliver R.Tambo:

> In order to win our liberty we must be prepared to make the necessary sacrifices. It also demands that we should steel ourselves for war with all the consequences that it implies. We are certainly not prepared to live as slaves and will therefore continue to intensify our offensive for the victory of the cause of democracy in our country.

Ideals are necessary, more so when liberty is at stake, but was liberty at stake? Although the ANC immediately cancelled all further mass marches, it still, nineteen months after the massacre, won the general election in South Africa, which included the Ciskei and the other homelands, by an overwhelming majority.

It seems paradoxical, if not sacrilegious, to suggest that something good came out of the massacre, but that did happen. The first bounty was that the ANC, having now realised the inherent dangers in mass action protests, cancelled all future marches. The second was that because the political parties were appalled at the violence, they approached one another and once again set Codesa 2 on track.[1] President de Klerk described the situation as follows in *The Last Trek; a New Beginning:*

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[1] . Sparks, *Tomorrow*,154.

> The Bhisho incident (massacre) was a turning point in the transformation process. It allowed the ANC leadership to assess the folly and the extreme peril of pursuing the Leipzig Option. The potential for conflict in pursuing such tactics….was apparent to all rational people. The centre of gravity of the ANC alliance consequently shifted back to the moderates, where it would remain for the rest of the transformation process. Once again the ANC had concluded that the time had come to talk.[1]

Similarly, the leaders of the National Party were brought to their senses. In Chapter 2.2 reference has been made to the belief that when President de Klerk unbanned the ANC and the other liberation parties in 1990, the leaders of the National Party had a 'a winning plan.' Also that they had cognisance that the violence in the country from 1990 to 1992 was being orchestrated by government structures. This attitude of destabilisation continued until the middle of 1992 when two South African Ministers, Botha and Meyer, favoured a cessation of the violence and rather rapprochement with the ANC. It seems clear that the Boipatong and Bhisho Massacres convinced the National Party that the way forward was an acceptance of the policy advocated by the two ministers. This new attitude led to the sanitising of the South African Defence and Police Forces of those officers who would not accept the new policy. After the Bhisho Massacre the National Party and the ANC once again set Codesa 2 on track and on 26 September 1992 President de Klerk and Nelson Mandela signed a Record of Understanding in Pretoria.

This thesis holds no brief to praise Brigadier Oupa Gqozo. To the contrary, much of what has been said in it condemns him as an incompetent and disastrous ruler, whose actions caused his people untold hardship and misery. However, a clinical analysis of the decisions and actions taken by him prior to and at the massacre, lead one to the conclusion that although some of his decisions were clearly not ideal, his imperfections pale into insignificance when weighed against the wanton contravention of the court order by the leaders of the march, which was the direct cause of the shooting and loss of life. The main finger of condemnation for the massacre has therefore been wrongly pointed at Gqozo; it should have been pointed at the leaders of the march. If they had abided by the terms of the court order, there would have been no

[1] . De Klerk, *The Last Trek*, 247.

bloodshed or tragic loss of life. The bulk of the criticism directed at Gqozo for the tragedy therefore seems ill-conceived, undeserved and unjust.

When one considers the unnecessary and shameful loss of life that occurred on that day, and the intransigence of both the leaders of the march and Brigadier Gqozo, the shocking thought involuntarily comes to mind: did either party have some ulterior motive or object behind their actions, and were the marchers and soldiers simply pawns being sacrificed on a political chessboard? We fervently hope not, and are prepared to give the parties the benefit of the doubt in this respect.

In conclusion we can all agree with the final analysis of this tragic incident by the chairman of the National Peace Committee, John Hill, when he stated: 'It seemed so absolutely unnecessary. If this is a taste of things to come, then God help us……..There were no heroes in the Bhisho Massacre.'

CHAPTER 4.3

THE AFTERMATH OF THE BHISHO MASSACRE. : 1992 AND 1993.

After the massacre recriminations flew thick and fast as everyone sought a scape-goat. The National Party blamed the ANC and said that the massacre was the result of its 'reckless mass action.' It referred to what the Deputy Head of the Border Branch of the ANC had said before the march took place: 'No, we are not going to the stadium, we are going to Bhisho.' This statement was confirmed by Tokyo Sexwale, a member of the National Executive Committee of the ANC, who stated on 10 September 1992 that the top ANC members had planned to defy the court order.

The ANC blamed the South African government, President F.W.de Klerk and Brigadier Oupa Gqozo. The United States of America and the United Kingdom blamed both the South African government and the ANC.[1]

In its editorial on 8 September 1992 the Eastern Province Herald opined:

> Current leader Oupa Gqozo, who seized power in a military coup, did a good deed in ousting the Sebe regime, notorious for its nepotism and presidential family feuds. But what has replaced it? There has been no transition to democracy, no poll on reincorporation……The best move might be to persuade him (Gqozo) to quit, to re-annex the territory and to administer it as part of South Africa in the run up to transition. That would go some way to acknowledging the monumental error of Verwoerdism.

Two days after the massacre Nelson Mandela visited the scene and once again called for the removal of Brigadier Gqozo. The ANC was confident that due to the mass shootings he would fall within days. This, however, was simply wishful thinking as Gqozo seemed unmoved by the tragic events of the massacre. On 13 September he warned the ANC and the South African government: 'I am no pushover.'[2]

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[1] . *Daily Dispatch*, 8 & 11 Sep 1992.
[2] . - do - , 9 & 14 Sep 1992.

The aftermath of the massacre was as horrific as the massacre itself. Prior to that day violence in Ciskei was already at a high level, but immediately after the massacre it escalated even further. Patrick Goodenough, a reporter on the *Daily Dispatch* at the time, has described this violence as follows in his book *Borderline*:

> The Bisho Massacre let loose a spree of bloodletting arguably not seen in the south-eastern corner of South Africa since the nineteenth century Eastern Frontier wars. Over the next four days alone 32 arson attacks on government property were reported. In the fortnight following the shooting 22 people died in killings believed to have been directly related to the massacre. Hospitals throughout the region were flooded with the wounded. Between 7 September and early October the CDF recorded more than 700 serious 'unrest-related incidents.[1]

No one was spared the killing, burning and looting. Members of the CDF, ADM, government services and ANC alliance were all targets and at risk. Soldiers and their families had to move into military bases for safety, and the ranks stopped wearing their uniforms outside barracks as the sight of a uniform was simply an invitation to be attacked. Likewise, ANC members and sympathisers, and their families, had to move out of their homes for fear of being attacked and killed.[2]

By 14 September 1992 hundreds had been treated in Eastern Cape Hospitals for injuries suffered in the violence sparked by the massacre.[3]

During the week of the mass funeral in King William's Town on 18 September 1992, 22 headmen resigned in fear of their lives. By the end of the year of the 198 headmen appointed during 1992, 6 had been killed, 36 had lost their homes in arson attacks and 39 had resigned. More than 50 families of soldiers and policemen were forced to find shelter in the unused nursing quarters of a rural hospital.[4]

On 2 October 1992 the Chief of Operations of the CDF, Colonel Horst Schubesberger,

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[1] . Goodenough, *Borderline*, 128.
[2] . Stiff, *Warfare*, 529.
[3] . *Daily Dispatch*, 15 Sep 1992
[4] . Goodenough, *Borderline*, 129.

narrowly escaped death when his motor car was blown up by a bomb. On 16 October four ANC members were attacked and killed at Msombomvu near Alice, and on 26 October a soldier was killed and seven injured in an ambush on a military bus at Dimbaza. On 7 November the home at Nkqonkqweni of Steve Tshwete, a member of the National Executive Committee of the ANC and later the South African Minister of Safety and Security, was attacked, as was the home in Frankfort of the Regional Secretary General of the SACP, Skenjana Roji.[1]

As stated in the previous chapter, the shock of the massacre and the on-going violence that it generated appeared to have a sobering effect on most political parties and organisations. The ANC on 13 September 1992 stated that it would accept President de Klerk's call for a summit meeting for peace. The resumed talks between Mandela and de Klerk led to the two parties signing a Record of Understanding on 26 September 1992, [2] and on 7 October the ANC called off the proposed mass protest march to Bophuthatswana.[3]

Similarly, de Klerk and the National Party had a change of heart after the Bhisho massacre. They decided to forego their policy of destabilisation, and to seek rapprochement with the ANC and its allies.[4]

Brigadier Gqozo seemed to be the only one whose conscience was untroubled by the tragedy of the massacre and in September he continued his vitriolic attacks on the ANC.[5] In his first address to the ADM after the massacre on 11 October 1992, he threatened to flush out ANC sympathisers in the civil service. The secretary-general of the ADM, Tamsanqa Linda, urged supporters to 'hit back' at the ANC.[6]

During October 1992 Gqozo joined a negotiating alliance known as the Concerned South African Group (COSAG), which ultimately consisted of the Inkatha Freedom Party, Conservative Party, Afrikaanse Volksfront (a coalition of twenty-one conservative Afrikaans

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[1] . *Daily Dispatch*, 14 Sep,3 & 16 Oct & 17 Nov 1992.
[2] . Giliomee and Mbenga, *New History of South Africa*, 405.
[3] . *Daily Dispatch*, 8 Oct 1992.
[4] . See Chapters 2.2 & 4.2.
[5] . Daily Dispatch, 17.9.92.
[6] . - do - , 12.10.92.

groups) and the governments of KwaZulu, Bophuthatswana and Ciskei. C0SAG was concerned that it was being left out of the negotiations between the ANC and the South African government, and about the direction those talks were taking. Its members wanted, contrary to the ANC and South African government (National Party), strong regional states and a weak central government i.e. a confederation.[1]

Peace talks between the ANC and Ciskei scheduled for 27 October were called off due to the attack on the previous day on a bus carrying CDF soldiers in Dimbaza, in which one soldier was killed and seven wounded. New talks were, however, proposed and held on 11 November 1992. The Border ANC's President, Smuts Ngonyama, represented the ANC, and the Deputy Head of State, Colonel Silence Pita, represented Ciskei. Both sides announced a 'cessation of hostilities,' which was in essence a formal truce in the conflict which had raged since the massacre on 7 September 1992.[2]

On 10 December 1992 Gqozo and the other homeland leaders who had joined COSAG, met State President de Klerk in Pretoria to discuss the Record of Undertaking which he and Mandela had signed. In *The Last Trek; A New Beginning,* de Klerk states: "I had to endure, once again, emotional attacks on the Record of Undertaking and frantic accusations that I had capitulated to the ANC and the SACP – many of them from the diminutive Ciskei dictator."[3]

During the year a stream of 'Pretoria's men' left Ciskei. The first to go was the secretary of the ADM, Basie Oosthuysen. The next to leave was the Commissioner of Police, General Johan Viktor, followed in October by the Chief of the CDF, Brigadier Marius Oelschig. All these men left under a cloud and rumours that they had clashed with Gqozo. These developments sparked rumours that Pretoria was hanging Gqozo out to dry. He, however, welcomed their departure and filled their posts with men who were blindly loyal to him. Before he left, General Viktor submitted a seventeen-page report to Gqozo in which he stated:

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[1] . De Klerk, *The Last Trek*, 283.
[2] . *Daily Dispatch*, 12 Nov 1992.
[3] . De Klerk, *The Last Trek*, 270.

> It is essential that the police should not be seen as an extension of the prevailing government of the day, charged solely with the execution of that party's policies…..Police-community relations are at best non-existent; members of the security forces are under constant threat of personal injury or material loss. The police are considered the enemy of the people and since July there have been 236 attacks on police and soldiers, including 11 murders.

He continued that since July there had been 100 attacks on chiefs and headmen, including 16 murders, and that 'a total disregard for their authority' existed.[1]

The author personally experienced the debilitating effect the attacks on headmen, civil servants and security personnel during 1992 to 1994 had on the judiciary in the lower courts of Ciskei during that period, and even subsequently. Whilst a judge in Transkei (1989–1995) and Ciskei (1995-2003), one of the author's duties was to review the sentences imposed by magistrates on miscreants in criminal cases. In Transkei he had regularly to ameliorate the over-robust sentences imposed by the magistrates. Imagine his surprise when, after moving to Ciskei in 1995, he found the converse in the sentences imposed by its magistrates – these were so lenient as to be a failure of justice. So much so, that he was compelled to arrange a seminar for all the magistrates of Ciskei, where he could lecture to them on appropriate sentences. He pointed out the serious nature of crimes such as robbery, housebreaking and assault with a knife, and that sentences of a fine or a suspended term of imprisonment in such cases were far too lenient and an injustice that could lead to dissatisfaction and kangaroo courts.

The author could not at the time understand the reason for the difference in the robust sentences of the magistrates of Transkei, and the lenient sentences of the magistrates of Ciskei, especially as the magistrates of both areas were Xhosa, with the same culture and background. Only when the author learnt about the violence in Ciskei during the 1992-1994 period, and the numerous attacks on government officials and those in authority, did it dawn on him that the magistrates of Ciskei were, even in 1995, fearful of the populace and therefore not prepared to impose substantial and effective

[1] . Gen.J.Viktor's report & Interview, Louise Flanagan, Johannesburg, 28 Dec 2007.

sentences. The violence must undoubtedly have had the same debilitating effect on all government officials and governance in general in Ciskei

Towards the end of 1992 tensions eased slightly and everyone hoped that 1993 would bring a more peaceful climate to Ciskei. Although this did happen, Gqozo's own actions did little to preserve the peace.

How did Gqozo react to the events of 7 September 1992? He now appeared to be more intransigent and belligerent, and even irrational, than ever and Ciskei seemed to be spiralling into a morass of misgovernance and despair. He no doubt felt threatened and beleaguered and the need to turn to someone for support. This he sought from, of all people, the conservative far right in the form of the Afrikaner Volksfront, which was represented by the Afrikanereenheidskomitee. At first blush these would appear to be strange bedfellows for Gqozo, but on closer inspection one finds that they shared complementary political objectives. They were both attempting to block the inevitable reunification of South Africa, and instead to retain separate independent states - Ciskei and a Volkstaat - for their own people.

On 5 November 1992 a meeting took place in Gqozo's office in the Legislative Buildings, Bhisho, between himself and three prominent right-wing leaders - General Tienie Groenewald, a former head of the South African Military Intelligence Service, and the brothers Riaan and Koos van Rensburg. The three men represented a 'consultancy company' based in Pretoria, known as Multi-Media Services (MMS). A further member of the company was General Constand Viljoen, the former Head of the SADF. On that day scores of brand new AK 47 rifles lay stacked three-deep along a wall in Gqozo's office. Where the rifles had come from is not clear, but on the same day the MMS invoiced the Council of State for R243 365. Over the next month four further invoices, each for more than R100,000, were submitted by MMS. The invoices reflected that the amounts were for 'intelligence (RSA) gathering and situation reports.'[1]

Two months later a dozen large boxes marked 'computer equipment' were unloaded under the supervision of Riaan van Rensburg from a plane at Ciskei's Bulembu Airport

[1] .Goodenough, *Borderline*, 131; *Daily Dispatch*, 9 July 1993; & Interview Louise Flanagan 28 Dec 2007.

and taken by military pick-up to Bhisho. Ciskei officials believed the crates contained more firearms.[1]

The reporters of the *Daily Dispatch*, Patrick Goodenough and Andrew Trench, who were investigating the relationship between Gqozo and the MMS, could not establish the intended purpose of the firearms. However, after the Bhisho massacre the South African Police compiled ballistic records of every CDF weapon fired on that day. During the violence that followed the massacre, bullets fired by unidentified assailants were tested against these ballistic records. This meant that official weapons could no longer be used for underhand purposes. Towards the end of 1992 senior South African military officers began to voice concern about the increasing appearance of Russian-origin firearms and hand grenades in the area. Even members of Gqozo's bodyguard were seen carrying and firing AK 47 rifles.[2]

The 'intelligence gathering' capabilities of the MMS were hard to take seriously, but its capacity to influence Gqozo was astounding. It had simply replaced the IR-CIS, and once again Gqozo was being led by the nose by unscrupulous outsiders. At the instigation of the MMS he not only sacked, without notice, his director general, Beatie Mraji, but also had South Africa withdraw the seconded Minister of Finance, Marthinus Bekker. Much of Gqozo's erratic and inexplicable behaviour in 1993 was undoubtedly due to the influence or persuasion of members of the MMS. It was certainly the influence of the MMS which was responsible for the Ciskei government's increasingly hard line towards the ANC and Pretoria at the negotiations.[3]

After the indefatigable Goodenough and Trench had by their articles in the *Daily Dispatch* in July 1993, blown the cover and activities of the MMS, the Ciskei government announced that it had ordered an investigation into the company's activities, It was a visible exercise in damage control. Once again, as in the case of the IR-CIS, the CDF were not happy with the involvement of the MMS in the affairs of Ciskei. A short while later the Ciskei government announced that it had parted ways 'amicably' with the MMS.[4]

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[1] .Goodenough, *Borderline*, 132.
[2]. Goodenough, *Borderline,1*36; *Daily Dispatch*, 9 July 1993 & Interview, Louise Flanagan, 28 Dec 2007.
[3] .Goodenough, *Borderline*, 137.
[4] .Goodenough, *Borderline*, 135.

CHAPTER 4.4

A LESS TRYING YEAR: 1993

In September 1993 Andrew Trench, a journalist on the staff of the *Daily Dispatch*, wrote:

> The ANC has shied away from direct confrontation with Ciskei since the killings – unlike the vigorous campaign it undertook in the months leading up to the massacre[1]

Although there were, as we shall see, still isolated incidents of violence during 1993 between the followers of the opposing parties, the Ciskei government and the ADM on the one hand, and the ANC and its allies on the other, generally speaking the profusion of violence that brutalised the country during 1992 had subsided. The only sustained incidents of violence during the year were the attacks by the PAC's armed wing, APLA, on soft white targets on the periphery of Ciskei, which continued unabated from the previous year. These included an attack in November 1992 on a christmas party at the King William's Town Golf Club, in which four whites were shot dead. A week later a limpet mine that was left in a steakhouse in Queenstown killed a young white man when it exploded. In March 1993 a white student was shot dead while drinking at Yellowwoods Hotel, near Fort Beaufort. On 1 May 1993 five white patrons were shot dead, and others wounded, at the Highgate Hotel near East London. In July eleven worshippers were killed and 58 wounded when gunmen fired machine guns and threw hand grenades at the congregation during a service in the Saint James Church in Kenilwoth, Cape Town.[2]

APLA accepted responsibility for all the attacks, save that at Highgate Hotel. Colonel Willem de Lange of the South African Security Police, who investigated the Highgate attack is convinced that, due to the efficient manner it was executed, it was carried out by Umkhonto weSizwe or a third force, and not by APLA. He states that when MK carried out an operation, being highly trained and efficient soldiers, there was a minimum of shooting. When, on the other hand, APLA attacked, everything – the walls, windows, ceilings, etc. – was shot to pieces. Many, however, believe that it was a third force or a

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[1] . *Daily Dispatch*, 7 Sep 1993.
[2] . Goodenough, *Borderline*, 166 et seq.

structure of the South African government that was to blame for this attack. By 2007 the identity of the attackers at Highgate Hotel was still unknown..[1]

As it was obvious that APLA was operating from bases in Transkei, South Africa placed a security ring around Transkei, which caused its inhabitants a great deal of inconvenience. The Goldstone Commission subsequently confirmed that APLA had operated from bases in Transkei.

Some of the sporadic incidents of violence during 1993, which appear to have been the aftermath of the hatred generated during 1992, can be found by surfing the evidence given to the Truth and Reconciliation Commission by those who participated in the violence. On 14 October 1998 Daniel Mahayiya testified before the commission that he had been a headman in Ciskei. The people, especially the supporters of the ANC, opposed the system of headmen and considered those who were appointed to be puppets of Brigadier Oupa Gqozo's regime. When, during 1993, his home was fire-bombed on numerous occassions, Mahayiya fled to Kiep Kiep. Whilst there he learnt that all his houses and kraals had been burnt and destroyed and his livestock stolen. He then, during the night of 24 March, 1993, returned to the area of his burnt homestead and went to the home of Champion Ganga, an ANC supporter. Although Mahayiya did not admit as much, it seems obvious that he went there for revenge. When Champion's wife, Nokupumla, opened the door he shot and killed her. Despite the light that she was carrying having fallen and it then being dark, he continued shooting at random, during which Champion and Nozinzo Gangqa were injured. His application for amnesty was dismissed.[2]

In another application Sakomzi Bheqezi testified that on 26 April 1993 he and other members of the ANC Youth League, who were pupils at the school at Gobozana in Ciskei, held a meeting at which they decided that 'in order to show our resistance we must go to the houses of all the ADM members and burn them down.' They then went

[1] . Interview, Colonel W.de Lange. Gonubie, 12 Feb 2008.
[2] . Evidence recorded by the TRC on 14 Oct 1998 in the amnesty application of Daniel Mahayiya, and published by the South African Press Association in 1998.

to the house of Mbuzo Lifeni, and burnt it down. When Mbuzo tried to defend himself with an axe, the youth killed him. Then the shop of Chief Mona was burnt down. The house, sixteen-seater combi and Isuzu van of Hotozo Jesele were next burnt to ashes. The house of Mr Mbhebe was also burnt down. He tried to defend himself and was later found dead on the scene. On the following day the youths went to the home of Mrs Mphambane, an organiser of the ADM. She was there with her two children, but when she saw them approaching she ran away. They followed her and killed her by stabbing her with knives and striking her with stones. The application for amnesty was refused.[1]

One would have expected Brigadier Gqozo to follow in 1993 the example of the ANC and to exhibit a new realism, which would not only lower the tensions in the country, but also create a wholesome and peaceful atmosphere for everyone living in Ciskei. Alas, this optimism was dashed when Gqozo, by his first actions of the year revealed that he had now become more belligerent than ever. The erstwhile Minister of Health, Dr Henk Kayser, believes that by then he had become unbalanced; an opinion which is borne out by the subsequent findings of his advocate, Sally Collett.

In January 1993 Gqozo announced that all those living in informal housing in Ciskei had just seven days in which to make application to the authorities for permission to occupy their sites, failing which they would lose their homes. Gqozo did not stop there; he added that any district in Ciskei which did not have a headman would no longer receive services from the government. Furthermore, that those who defied his orders would be detained and that anyone who came 'from outside Ciskei' and tried to defy him would be taught the same lesson as the ANC was taught at the Bhisho Massacre![2]

These provocative announcements, so soon after the mayhem of 1992 and when the violence seemed to be abating, were almost incomprehensible. Instead of gathering votes for the coming election he seemed intent on alienating as many Ciskei citizens as possible. Had Gqozo, like his predecessor, Lennox Sebe, become bi-polar in the last days of his rule, or was he acting under the influence of the MMS?

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[1] . Evidence recorded by the TRC on 18 March 1997 in the amnesty application of Sakomzi Bheqese and others, and published by the South African Press Association, 1997.
[2] . Goodenough, *Borderline*, 130.

The concern and alarm caused by Gqozo's belligerence was accentuated by a report of the ANC that there had been another wave of arrests of its members during January 1993.[1] In the same month a limpet mine exploded on the fourth floor of the building in Bhisho occupied by the Department of Manpower Utilization, and teachers refused to contribute to the third year celebrations of the military coup.

On 5 February 1993 two ANC members were gunned down at their home in Mdantsane, and a month later, on the day that Gqozo was to deliver a speech at Bhisho Stadium, a limpet mine destroyed an electrical sub-station nearby.[2]

Since the MMS had arrived on the scene there seemed to be a distinct change in the attitude of Gqozo, both towards his own people and his opponents. He now appeared to favour an even more autocratic and aggressive approach to all Ciskeians, the ANC and Pretoria. Members of the MMS had urged him to dismiss those senior members of his government who had become disillusioned with his policy, one being the Minister of Health, Dr Henk Kayser.[3] Gqozo was also persuaded by the MMS to commemorate Independence Day, something he had never done before and villages across Ciskei were soon complaining that local headmen were demanding contributions to celebrate the event.[4] The MMS also helped Gqozo produce a document in which he set out a vision for a sovereign 'Kei Region,' presumably under his benevolent rule. Van Rensburg of the MMS stated that the concept 'fits in well with the volkstaat idea.'[5]

On 7 April 1993 five houses of headmen living near King William's Town were attacked, leaving one dead and six injured.[6]

In the meantime sporadic incidents of violence continued in the rest of Southern Africa. Chris Hani was assassinated at his home on the Reef, and the next day an attorney from Grahamstown, Alistair Weakly, and his brother died in an ambush near Port St Johns.[7]

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[1] . *Daily Dispatch*, 29 Jan 1993.
[2] . *Daily Dispatch*, 6 Feb & 6 March 1993.
[3] . Goodenough, *Borderline*, 133.
[4] . - do -
[5] . - do -
[6] . *Daily Dispatch*, 8 April 1993.
[7] . *Daily Dispatch*, 12 & 15 April 1993.

During talks with the South African Minister of Defence, Kobie Coetzee, in early May 1993, the Border Peace Committee called on the South African government to install an interim administration in Ciskei. At about this time the South African Minister of Foreign Affairs, Pik Botha, for the umpteenth time asked Gqozo to stand down and to hand over the reins of Ciskei to the Minister of Manpower, Chief Lent Maqoma. He refused to do so.[1] In retrospect Gqozo would have been well advised to accept Pik Botha's offer. If he had he would have retired on a very satisfactory pension and his financial future would have been assured. His refusal seems to be another example of his total inability to discern the outcome of present and future events. What made him refuse the offer? Was it pride, expectation of future grandeur, or simply incomprehension? Ten months later he had resigned and been left penniless without an annuity or pension.

On 14 May 1993 Gqozo echoed the viewpoint of COSAG when he stated that Ciskei was prepared to 'go it alone' if the demands for a future federal structure failed. He continued: 'We believe that it is either a federal system, or nothing. We will not agree to a unitary system. We better fight and die for that.'[2]

The Attorney-General of Ciskei, Willem Jurgens, on 14 May 1993 charged Kasrils and 67 soldiers with the crimes of murder, attempted murder and culpable homicide committed during the Bhisho Massacre.[3] The Attorney General's indictment led the Council of State to issue Special Indemnity Decree, 7 of 1993 on 18 May 1993 that indemnified from prosecution anyone who had committed a criminal offence at or near Bhisho Stadium on 7 September 1992. The Council gave as its reason for the Decree the fear that a criminal prosecution would impact negatively on the multi-party negotiations that were in progress at the time. The Decree was condemned throughout the region and the ANC greeted it 'with horror.'[4] On 13 January 1994 the Supreme Court of Ciskei held that as the Decree was repugnant to the provisions of the bill of rights it was null and void.[5]

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[1]. Stiff, *Warfare*, 530.
[2]. *Daily Dispatch*, 15 May 1993.
[3]. - do -
[4]. - do -.
[5]. See Chapter 3.5.

The South African government, presumably at the insistence of Gqozo, duly influenced by the MMS, recalled nine senior seconded officials on 29 June 1993.[1]

The belief that Gqozo seemed to be losing all concept of reality was enhanced when he on 9 July 1993 commissioned Rob Pollock, a professional photographer in East London, to take an official photograph of himself at the exorbitant cost of R102, 000.[2]

On 15 July 1993 about 100 people met to start a new political party, the United Peoples Party, which would oppose Gqozo and be led by the former secretary-general of the ADM, Tamsanqa Linda.[3] Although nothing ever came of this party, and it played no part in the future events in Ciskei, its formation was another manifestation of the general dissatisfaction with Gqozo's rule.

By August there were serious concerns about Gqozo's state of mind. Those close to him stated that he was stressed, both physically and mentally. His office reported that he was undergoing back treatment in Cape Town, but it subsequently transpired that he had been there for a series of psychological examinations as he had been experiencing manic depressive tendencies. The erstwhile Minister of Health, Dr Henk Kayser, believes that he had by then become unbalanced. This opinion is endorsed by the subsequent findings of his advocate, Sally Collett, who, after consulting with Gqozo, referred him to a psychiatrist. So too does Reverend Bongani Finca, the then President of the Border Council of Churches, relate that when he went to see Gqozo he thought he was bereft of his senses as he shouted and waved his arms in the air. The pressure of rulership had apparently overcome him.[4]

On 1 August 1993 Gqozo began testifying at the inquest into the deaths of Onward Guzana and Charles Sebe. Whatever fears there had been about his mental state were put to rest by the confident manner he coped with days of examination and cross-examination in the witness box.[5] The presiding judge at the inquest, Mr. Justice Michael Claassens,

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[1] . *Daily Dispatch*, 30 June 1993.
[2] . *Daily Dispatch*, 10 July 1993.
[3] . *Daily Dispatch*, 16 July 1993.
[4] . Goodenough, *Borderline*, 113 & Interviews, East London, Dr H.Kayser, 8 Dec 2007, and Rev Bongani Finca, 22 Feb 2008.
[5] . Goodenough, *Borderline*, 114.

handed down his findings on 30 August 1993. He found that Gqozo was to blame for the death of Charles Sebe, but was unable to make any finding on the death of Guzana.

Once the findings were published many organisations called for Gqozo's resignation. The *Daily Dispatch* concluded its editorial on the matter as follows: 'The finding probably marks the beginning of the end for the Brigadier's rule and for the Republic of Ciskei - a short, sad chapter which does credit to almost nobody.'[1]

Anniversary services commemorating the Bhisho Massacre were held in Bhisho and King William's Town on 7 September 1993. Many businesses were closed on the day and the schools were almost empty.[2]

When the Attorney-General announced on 22 September 1993 that he would charge Gqozo with the murder of Charles Sebe, Gqozo handed over the administration of Ciskei to his Deputy, Colonel Silence Pita, till the termination of the trial. At the same time he appointed Attorney Malcolm Webb as Ciskei's Minister of Foreign Affairs.[3]

In the beginning of October 1993 Gqozo joined with the erstwhile members of COSAG – Inkatha Freedom Party, Bophuthatswana, the Conservative Party and the Afrikaner Volksfront. - to form the Freedom Alliance. It opposed the National Party/ANC's drive for a unitary state, and would strive for full regional autonomy for each of the regions.[4] Gqozo opposed the Transitional Executive Council (TEC) and propounded an increasingly isolationist policy, which would resist the reincorporation of Ciskei into South Africa. His policies were understandably causing members of the security forces and the civil service great concern about their future.[5]

On 1 October 1993 Louise Flanagan wrote in the *Daily Dispatch*: 'Gqozo is now so unpopular that it is unlikely that he will have any political future after the April 27 elections …Gqozo has survived so long because he is useful to others …….(who) want to use Ciskei for their own agendas, particularly the right wing.' On 8 October 1993 Gqozo appeared in court to face

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[1] . *Daily Dispatch*, 1 Sep 1993.
[2] . - do - , 8 Sep 1993.
[3] . - do - ,19 Oct 1993.
[4] . De Klerk, *The Last Trek*, 282.
[5] . *Daily Dispatch*, 23 Sep 1993.

the charge of having murdered Charles Sebe. He pleaded that he could not be charged due to the principle that 'The king can do no harm.' The court, however, rejected this plea as it found that the stated principle was not part of South African law, which was effective in Ciskei, and the trial proceeded. This issue is discussed in more detail in Chapter 3.5. Much to the surprise of all and sundry, Gqozo was on 13 December acquitted on the charge of murdering Charles Sebe. There is extensive coverage on this finding in Chapter 3.2.

In October 1993 a policeman was shot and killed and another injured in an attack on the Dimbaza Police Station.[1] Later during the month followers of the ANC and PAC opened fire on one another on the Alice campus of the University of Fort Hare and the leaders of the parties met on 3 November to ease the tension between the two groups. On the sixteenth Nelson Mandela and F.W.de Klerk were both awarded the Nobel Peace Prize.

In what appeared to be an about face, Ciskei on 17 November 1993 approved the transitional constitution submitted by the Transitional Executive Committee, and on 10 December announced that it would take part in the elections on 27 April 1994. In view of this decision, and Gqozo's subsequent actions, it appears that it had at last dawned on him that the future reincorporation of Ciskei into a unitary South Africa under an ANC government was a fait accompli, and that he should now start attracting votes for the approaching election.

And so ended a year in which there was less violence and tension than in the preceding years.

[1] . *Daily Dispatch*, 11 Oct 1993.

CHAPTER 4.5

MUTINY AND THE END OF GQOZO' S RULE : JANUARY TO MARCH 1994.

Due to Gqozo's previous statements, it came as a surprise to many when the Council of State announced in December 1993 that Ciskei would take part in the elections for a unitary South Africa on 27 April 1994. The statement appeared to be a volte-face by Brigadier Gqozo on how Ciskei would fit into the mosaic of the new South Africa. Barely seven months earlier - in May 1993 - he had stated publicly: 'We believe it is either a federal system, or nothing .....We better fight, or die for that.'[1]

By now Gqozo must have realised that as the onward march of CODESA was irresistible and would inevitably end in a unified South Africa, he had better start wooing voters to his cause and that of the ADM. In December 1993 he launched a R5 million drought relief programme, followed by a Christmas Eve party for all the chiefs and headmen to thank them for their support. Next came an announcement in January 1994 that any tenant who had occupied state housing for more than fifteen years would become owner of the property, free of charge.[2] The ANC criticised these steps as being nothing more than a blatant attempt to raise support for a flagging ADM.[3]

On 7 January 1994 Gqozo officially started his election campaign by addressing a meeting at Ngcwazi Village, near Middledrift.[4] Three days later, at a specially convened meeting, he informed the chiefs and headmen that Ciskei would join the Transitional Executive Council so as to protect the interests of Ciskeians, especially those in the CDF and civil service, in the new South Africa.[5]

On 13 January 1994 the Supreme Court of Ciskei overturned the Special Indemnity Decree, 7 of 1993, that indemnified, inter alia, members of the CDF for any crimes committed during the Bhisho massacre.[6]

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1. *Daily Dispatch*, 15 May & 11 Dec 1993.
2. - do - , 8 Jan 1994.
3. - do - , 8 Jan 1994.
4. - do - , 8 Jan 1994.
5. - do - , 11 Jan 1994.
6. - do - , 14 Jan 1994.

On 28 January1994 Titus Ntoyiyana, a Director General in the Department of Foreign Affairs and the Chairman of the ADM, was charged with Jeffrey Moshumi, an ex-member of Umkhonto weSizwe, Dingaan Somtsoro, Gqozo's personal body guard, and Mongezi Solani and Vuyisile Madikane, with various counts of murder, robbery, etc. In his book, *Warfare by Other Means,* Peter Stiff describes in detail how Ntoyiyana, whom he refers to as 'Mcoyiya,' set out to form a self defence unit to attack the ANC. Stiff maintains that after Ntoyiyana had recruited the others, he, Somtsara, Solani and Madikane on 16 December 1993 shot and wounded the ANC's Sam Kwelita, and seven days later shot and killed Mongezi Ndudula at Dimbaza. On 19 and 21 January 1994 they attacked two houses belonging to ANC members, injuring various people. On 25 January the members of the gang were arrested and the fire arms used in the various attacks were recovered.[1]

At the conclusion of the trial in the Supreme Court, Bhisho, before Mr Justice Vuka Tshabalala, which had lasted for 18 months, all the accused were acquitted. Advocate Collett, who appeared for the accused at the trial, disagrees with the version of the events given by Peter Stiff in *Warfare by Other Means*. During the trial Collett came to the conclusion that the charges were nothing but a trumped-up case to 'get at Gqozo,' and that there was no truth in the allegations against the accused persons. The court was obviously of the same opinion as it discharged all the accused on all the counts. When the allegations were made against Ntoyiyana, the chairman of the ADM, Gqozo was compelled to quit the portfolios of Police and Prisons.

The case arose from a so-called 'hit list' that came to light during the Pickard Commission of Inquiry into the prevention of public violence and intimidation. The hit list, which was found on a member of the ADM, consisted of a string of fish names. The Border ANC President, Smuts Nqonyama, was allegedly referred to as 'Puffy;' a King William's Town attorney, Dumisani Tabata, as 'Shad,' and a member of the ANC Regional Executive, Mlandozi Nteyi, as 'Sardine.' The list, however, became a damp squib when the prosecution failed to lead any evidence to explain what the fish names represented. The final straw in rejecting Stiff's version is the improbability of the allegation that the accused

[1] . Stiff, *Warfare*, 532.

were found in possession of the firearms used in the attacks. If that were so, it would have been a simple exercise for the prosecution to connect the accused to the crimes by ballistic evidence.[1]

Gqozo now appealed for a six month extension of the election date, 27 April 1994, to enable the parties to consult with one another, but Mandela ruled out any such extension.[2]

On 11 February 1994, 300 warders in the Prison Service went on strike due to the lack of promotions in their ranks. At Middledrift Prison they held the Deputy Commissioner of Prisons and his assistant hostage, and demanded to speak to Gqozo.[3]

At this time violence was rife in the rest of South Africa. On 6 March eleven people were killed in an attack in KwaZulu, and on 11 March sixty died (three of whom were members of the Afrikaanse Weerstandsbeweging) and 300 were injured in riots in Bophuthatswana.[4] This national atmosphere of dissatisfaction and revolt was also evident in Ciskei where there was widespread dissatisfaction with Gqozo and his government. During the week prior to 27 February there were clashes between supporters of the the ANC and ADM at Middledrift, and on that day a petrol bomb and hand grenade were thrown at the house of the Secretary General of the ADM in the town. Especially the police force and the civil servants were upset with Gqozo. They maintained that he had time for the CDF only. If the CDF complained, he gave the complaint careful consideration; if the police or the civil servants complained, the matter was ignored.[5]

Members of both the civil service and the security forces were concerned about what would happen to their pensions when Ciskei was reincorporated into the greater South Africa. This led to the civil servants launching an unsuccessful application in the Supreme Court to compel the government to pay out their pension money. Many policemen wished to join the application, but the Commissioner of Police, Brigadier Manyano Noqayi, refused to do so.[6]

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[1] . *Daily Dispatch*, 9 Feb 1994 & Interview, Advocate Sally Collett, King William's Town, 13 Nov 2007.
[2] . *Daily Dispatch*, , 7 & 19 Feb 1994.
[3] . - do - , 12.2.94.
[4] . - do - , 12.3.94.
[5] . - do - , 28.2.94
[6] . Stiff, *Warfare*, 533.

In February Brigadier Noqayi agreed to meet members of the police force at Bhisho Police College at 8:00 on 22 March 1994, to discuss their problems with them. On that day the policemen assembled at the college, but the commissioner failed to appear. Instead, the commanding officer of the Police College, Brigadier Nkqubela Bunguza, arrived. After those present had voiced their grievances, they told Bunguza to fetch the commissioner. He left, promising to do so. The commissioner eventually arrived at 11:00. He undertook to discuss their grievances with Gqozo, and to return later.

The policemen who had gathered at the college then notified various police stations by radio what was happening, whereupon numerous further policemen joined the gathering at the college, some voluntarily and others at gun-point. The officers - some with their wives - were made to sit on chairs on the stage, apart from the ranks, and no one was allowed to leave the hall. The officers and their wives were to all intents and purposes being held hostage and by now an unspoken demand had arisen that Gqozo be removed from office.[1] On the same morning, 22 March 1994, hundreds of civil servants, who were members of the National Education, Health and Allied Workers Union (NEHAWU), stormed Ciskei Government Buildings in Bhisho and, after ordering those present to leave, ransacked the offices. Gqozo's intelligence service informed him that bombs had been placed on every floor of the Health Building in Bhisho.[2]

Gqozo, mindful of the shooting and mayhem in Bophuthatswana a few days previously, and not wishing a similar tragedy to occur in Ciskei, decided to resign and leave peacefully. He therefore instructed the Minister of Foreign Affairs, Malcolm Webb, who was Ciskei's representative at Codesa, to inform the South African government that he had resigned. Webb duly conveyed the message to the Transitional Executive Council (TEC) and the South African government.

Meanwhile the policemen, who were now singing freedom songs, remained at the Police College throughout the day of 22 March 1994. When the commissioner had not returned by 16:00, a delegation of policemen was sent to speak to Gqozo. On their arrival at the Palace they were surprised to find the guard huts deserted. They went inside

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[1] . Stiff, *Warfare*, 533 & *Daily Dispatch*, 23 March 1994.
[2] . *Daily Dispatch*, 23 March 1994 & Interview, Malcolm Webb, East London, 16 Jan 2007.

the house where they met Gqozo. He told them that the police, instead of maintaining law and order, were in revolt. He had ordered the CDF to suppress the revolt, but it had refused to do so. As his own guards had also now deserted him, and as he did not want a repetition of the violence that had occurred in Bophuthatswana, he had informed the South African government that he had resigned as Head of State. The delegation requested that he return with it to the college and address the policemen, but he refused to do so, pointing out that he had resigned and no longer held office.[1]

As the policemen were worried that if they left the college the commissioner might return in their absence, they remained there throughout the night. At 4:00 the next morning, 23 March 1994, soldiers arrived and wished to join the gathering. They confessed that they had been sent to disrupt the meeting, but stated that they had no intention of doing so. The policemen, however, feared that the soldiers might be spies and chased them away. A short while later more soldiers arrived, who also asked to join the gathering. The policemen now realised that the soldiers also had grievances against the government, and they were allowed to stay.

Later a posse of policemen was sent to find Commissioner Noqayi. When they found him, he was brought to the college, where he addressed those present. He was, however, vague and evasive about the future of the Ciskei Police Force.

Thoroughly disillusioned most of the policemen then left the college and joined 20 000 stomping and singing civil servants who were waiting at Bhisho Stadium to be addressed by Gqozo. He, however, having been warned by loyal army officers that it would not be safe to do so, did not go to the stadium. At about 14:00 a TEC official, Zam Titus, trade union negotiator, Phillip Dexter, and the President of the Border Branch of the ANC, Smuts Ngonyama, appeared and attempted to placate the angry crowd. Titus assured them that the pensions of all Ciskei government employees would be protected by the new constitution. The public address system then broke down and the disillusioned crowd streamed from the stadium.[2]

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[1] . *Daily Dispatch*, 23 March 1994 & Stiff, *Warfare*, 534.
[2] . Stiff, *Warfare*, 535.

Gqozo's resignation caused businesses and banks in Bhisho to close for the day, and schools to close early. President de Klerk welcomed Gqozo's resignation and two days later the SADF moved into Ciskei to protect strategic government buildings and to prevent anarchy similar to that when Gqozo came to power in 1990.[1] On hearing the news of Gqozo's resignation the people erupted in mass jubilation, even greater than that when he came to power. The wheel of fortune had made a complete turn.

There was a near crisis that evening when a group of soldiers and policemen, who were loyal to Gqozo, demanded that he retract his resignation. Their demands, however, came to nought when it was discovered that he had already left for the proverbial 'undisclosed destination.'[2]

After Gqozo resigned on 22 March 1994 the TEC appointed two transitional administrators - Piet Goosen, the South African Ambassador to Ciskei, and Reverend Bongani Finca, the President of the Border Council of Churches - to run the administration of Ciskei until it was reincorporated into South Africa on 27 April 1994. Their primary purpose was to restore good government and to ensure that essential services were maintained.[3]

On 24 March 1994 Gqozo stated that he planned a political comeback through the ADM in the forthcoming election on 27 April 1994. He considered the premiership of the Eastern Cape, and even the national presidency, well within his reach. He predicted that the ADM would sweep the polls![4] At the election, however, the ADM suffered a shattering defeat. It did not win a single seat in the national House of Assembly, or in the Eastern Cape Legislature. Of the 2 922 154 votes cast in the Eastern Cape Province, the ANC won 84 per cent (2 453 790) and the ADM 0.1 per cent (4815). The result proved that Gqozo was living in a cuckoo-world of make-believe and fantasy of his own, totally divorced from reality, and that his professed popularity was a myth. Gqozo blamed the defeat of the ADM on a lack of funds. Although this latter ludicrous statement simply exacerbated the folly of his previous

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[1] . Daily Dispatch, 25 March 1994.
[2] . Stiff, *Warfare*, 535.
[3] . *Daily Dispatch*, 24 March 1994.
[4] . - do - , 26 March 1994.

predictions, one wonders if he did not believe it to be true![1]

And so the four-year reign of Brigadier Oupa Gqozo in Ciskei, which in the beginning promised so much, but in the end delivered so little, came to an end.

[1] . *Daily Dispatch,* 29 April 1994.

CHAPTER 4.6

A SAD ENDING : 1994 ONWARD

The misfortunes that befell Brigadier Gqozo after his resignation as ruler must have made him wonder whether the Bard had him in mind when he wrote: 'Sorrows come not single fold, but in battalions.' A profusion of financial, legal and physical hardships and mishaps followed in quick succession.

After Gqozo resigned on 22 March 1994 he and his wife, Corinthian, left for their farm, Blacklands. Having resigned, Gqozo received no annuity or pension and he was left virtually penniless. He was far too ingenuous to have followed the example of other dictators and have stashed away a fat bank balance in Switzerland! In an attempt to make ends meet he commenced an unsuccessful bed and breakfast business on Blacklands.

Shortly after he and Corinthian moved onto Blacklands, officials of the Department of Works arrived and removed all the furniture from the homestead as it belonged to the government. To add to their woes, as they could not meet the R37 000 electricity bill, their lights were cut off and they were left in a homestead without furniture or electricity.[1] Matters became so desperate that some months after Gqozo resigned he approached a director of the Ciskei Agricultural Corporation Limited, Anthoni Stylianou, and asked him for some financial assistance as he had 'no food in the house.' Stylianou gave him R500.[2] When told that he still owed R67 000 on the motor car he had purchased through a government finance scheme, Gqozo replied that he had no money to pay, but that he would do so when certain insurance policies matured.[3]

During September 1995 a civil case commenced in which the Attorney-General, Willem Jurgens, sued Gqozo for R75 000 for damages for defamation. The claim arose from the statement Gqozo had made (when Jurgens charged him with the murder of Charles Sebe) that Jurgens had been 'a party to the abuse of the courts and the legal process,' and had

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[1] . Interview, Brigadier Gqozo, Blacklands, 15 Feb 2007 & *Daily Dispatch*, 7 Feb 1995.
[2] . Interview, Anthoni Stylianou, Kayser's Beach, 26 Sep 2007.
[3] .*Daily Dispatch*, 8 Feb 1995.

allowed himself 'to be influenced or directed by' a political party when doing so.[1] When the case, in which the author was the presiding judge, commenced Gqozo informed the court that he could not afford legal representation as he had not had any income since he had resigned as Head of State. 'I have absolutely no means now.' The judge told Gqozo that he should not attempt to defend the case himself and that if he were indeed indigent, he should apply to the Legal Aid Board for assistance. The parties subsequently settled the case for an undisclosed amount, no doubt as Jurgens realised that there was no likelihood of his receiving any financial satisfaction from Gqozo.[2]

In an attempt to make some money, Gqozo became embroiled in a deal involving uncut diamonds to the value of R120 000. He was arrested by the South African Police and he and three others appeared in the Magistrate's Court, Taung, in the North-West Province, on 23 August 1994, on which date the case was postponed.

He now sought the assistance of Advocate Sally Collett, who recalls that when she consulted with him she was shocked to see the terrible state, both physical and mental, he was in. He looked sick and half-starved, was in deep depression and extremely neurotic : he believed he would be killed. Collett arranged for him to see Dr Elizabeth Weiss, a psychiatrist from Komani Mental Hospital, Queenstown, and to spend ten days at the hospital.[3]

On 4 September 1996 he pleaded guilty to the charge of dealing in uncut diamonds and was convicted. He told the court that he had no money and that he had embarked on the deal in the hope of improving his financial position. He had done so at the instigation of one of his co-accused, Carl Hesse, whom he had met whilst still head of Ciskei. Hesse had persuaded him to hand over R15 000 for a 'lucrative deal.' Gqozo said that he had attended a subsequent meeting with the diamond sellers 'out of curiosity.' The sellers identified themselves as policemen and arrested Gqozo and his associates.

At the trial Dr. Weiss testified that Brigadier Gqozo felt a sense of worthlessness and guilt, and that he was highly suspicious of people. 'He feels he is targeted to be killed. ....he is

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[1] . *Daily Dispatch,* 18 Feb 1994.
[2] . - do - , 28 Sep 1995.
[3] . Interview, Advocate Sally Collett, King William's Town, 13 Nov 2007.

suffering from a major depressive episode. He shows the symptoms of disturbed sleep, poor appetite and loss of weight, and he also has a problem concentrating.' She recommended that he receive psychiatric counselling and treatment. On 6 September 1996 the magistrate sentenced Gqozo to a fine of R10 000, and a further three years imprisonment, the latter portion of the sentence being suspended for five years.[1]

Gqozo was due to testify before the Truth and Reconciliation Commission on 10 September 1996. At the hearing his legal representative, Advocate Sally Collett, informed the commission that he was not fit to do so. She stated that during consultations it had transpired that he was incoherent and suffering from fatigue. She handed in an affidavit by Dr Weiss which stated that Gqozo was suffering 'the classic depressive episode.' After Advocate Collett was given a grilling by the commissioners, and asked to relate what Gqozo had told her, which she refused to do as it was a privileged statement between a legal representative and her client, the hearing was postponed.[2]

When Gqozo eventually testified before the TRC on 17 November 1996, he was given a torrid time by some of the commissioners, who were clearly biased against him. So much so that Advocate Collett complained to the press and the chairman of the commission, Archbishop Desmond Tutu, about the hostile and unfair treatment meted out to Gqozo. Her complaint led to Collett being sent an airfare ticket to travel to Johannesburg to meet Tutu. When Collett entered Tutu's office in Johannesburg, he asked if he could pray for her. Collett, who runs a Christian school in King William's Town, agreed. After the prayer they discussed the attitude of the TRC towards those who appeared before it. Collett told Tutu that she had appeared before the commission on various occasions and that in her opinion it lacked a spirit of reconciliation, but instead reflected one of condemnation. Tutu stated that it was not he, but the commissioners who were to blame. Collett felt that he, as chairman, should keep them in check. When, at the conclusion of the discussion, Tutu asked Collett if there was any other matter she wished to raise, she replied that she wished to pray for Tutu. She then prayed for the Archbishop and the

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[1] . *Daily Dispatch*, 7 Sep 1996.
[2] . - do - , 11 Sep & 18 Nov 1996.

TRC.[1] The meeting seemed to have had the desired effect as Tutu thereafter publicly rebuked the commissioners for acting contrary to the spirit of even-handedness required of the commission. Its future hearings were, no doubt, more in accordance with its name.[2]

On 12 August 1997 a safe containing Gqozo's firearm was stolen from his home on Blacklands. When he reported the theft to the police, he was charged with the offence of the negligent loss of a firearm. On 10 December 1998 the Magistrate, Zwelitsha, acquitted him of the charge.[3]

Gqozo's creditors attached Blacklands on 6 June 2001. Somehow he managed to scrape together the necessary funds to save the farm.[4]

During the same month Gqozo, in an attempt to obtain an income, accepted employment as a bodyguard to a traditional healer, Keke Mama, at Middledrift, at the princely sum of R1500 per month. On 19 June 2001, while he and Mama were counting the day's takings in Mama's consulting rooms, they were both shot by intruders in an apparent attempted robbery. Gqozo was shot in the head, neck and chest, and Mama in the neck, next to his spinal chord. One of the attackers was apprehended by Mama's employees, who, after letting him be savaged by nineteen dogs, beat him to death with sticks and bottles.[5] Mama was admitted in a critical condition to Cecilia Makiwane Hospital, Mdantsane, where he died on the following day. Gqozo, also in a critical condition, was admitted to the intensive care unit of Frere Hospital, East London. He made a remarkable recovery and two months later was able to joke with reporters of the *Daily Dispatch;* his only impediment being slurred speech, which made it difficult for the reporters to understand what he was saying.

Yet another mishap befell Gqozo at Blacklands on 5 August 2003. When he inadvertently attempted to fill a heater with petrol, instead of paraffin, it exploded, setting the homestead alight. Gqozo suffered serious burns to his face and hands, and was

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[1] . Interview, Advocate Sally Collett, King William's Town, 13.11.07.
[2] . *Daily Dispatch*, 27 Nov 1996.
[3] . - do - ,11 Dec 1996.
[4] . - do - , 7 June 2001.
[5] . - do - , 19 & 21 June 2001.

admitted to Bhisho Hospital. In 2007 he still bore the scars from the burns. Damage to the homestead was estimated at R60 000.[1]

Since 2003 Gqozo's misfortunes, other than his financial woes, seem to have abated and, as is stated in Chapter 2.1, he and Corinthian continue to live on Blacklands. Their existence, though peaceful, is sadly the simple and uninteresting life of the poor. When one bears in mind the controversy that raged during Gqozo's tenure of office, it is laudable that he and his family are allowed to live in peace and quiet on Blacklands. It seems, therefore, that despite history depicting the Xhosa as a nation of warriors, they are at heart also a forgiving and compassionate people.

[1] . - do - , 6 Aug 2003.

CHAPTER 5

CONCLUSION - INEPT, RATHER THAN EVIL.

If you were to draw a graph of Brigadier Oupa Joshua Gqozo's popularity rating with the people of Ciskei from his ascension to power in 1990 to his resignation in 1994, it would reflect a drop from a hundred per cent to virtually nought.

Gqozo came to power on a wave of adulation, not due to who or what he was, or anything he had done previously, but simply because he was the leader of a group that had ousted an autocratic, nepotistic and hated despot, Lennox Sebe. At the time Gqozo had, to use a colloquialism, everything going for him - the support of the masses, the support of the South African government, and the approval of the political party (ANC) which would rule the future unified South Africa. The opportunity of success that beckoned Gqozo when he commenced his reign has been aptly summarised by Mluleki George, the then president of the UDF, as follows: 'Gqozo was embraced by the ANC and he, of all the homeland leaders, had the best opportunity of having a bountiful reign and changing Ciskei into a thriving, prosperous and peaceful country.' He failed miserably in achieving any of these Utopian ideals, and instead his rule, apart from the first halcyon months, stumbled from one traumatic mishap to the next causing the people of Ciskei a great deal of strife and misery. We may reflect on where and why he went wrong.

In the months following his elevation to Head of State on 4 March 1990, Gqozo did not put a foot wrong; he did and said all the right things. He promised a speedy return to a democratic government, unbanned political parties, released political prisoners, welcomed and collaborated with the ANC alliance, scrapped the death penalty and enacted a new constitution, bill of rights, labour regulations and system of legal aid. The bill of rights especially, which protected every conceivable right of the individual Ciskeian, was something exceptional which no other African military ruler had ever attempted. In those early months Gqozo was everyone's knight in shining armour, and he was praised by all and sundry - the ANC alliance, Nelson Mandela, the South African Government, the National Party and his own people. When, however, he turned against the ANC and its allies in October/November 1990, the ethos of jubilation and

adulation changed to one of doubt and eventual rejection. It was ironic that the ecstatic jubilation that accompanied his rise to power was again to the fore, possibly to an even greater extent, when he fell from grace four years later.

All Gqozo's good governance changed with the advent in the latter part of 1990 of the IR-CIS and its main henchmen, Anton Nieuwoudt and Clive Brink. Unbeknown to Gqozo, they were serving members of the SADF Intelligence Service, and it was their task to drive a wedge between, on the one hand Gqozo and Ciskei, and on the other Transkei and the ANC alliance. This they did by feeding Gqozo misinformation of pending coups and assassinations. They were, regrettably, aided and abetted in their efforts by Gqozo's inherent fearful nature that was extremely receptive to any forebodings of this nature. He became paranoid not only about his own safety, but also about the survival of his government and himself as its ruler. He succumbed totally to the misinformation of the IR-CIS, and he now believed that everyone was intent on either dethroning him, or usurping his power.

A second factor that assisted the IR-CIS in its aim to mislead Gqozo was the aggressive, even hostile attitude of the ANC towards him. This attitude of the ANC had undoubtedly arisen due to Gqozo's belligerent treatment of the party and its supporters. The ANC must also have felt aggrieved at not being accorded the same sympathetic treatment by Gqozo that it was receiving from Bantu Holomisa in Transkei, especially after its friendly overtures to Gqozo at the beginning of his reign.

Despite having been warned that Nieuwoudt and Brink of the IR-CIS were counter-intelligence agents in his midst, who were intent on misleading him at every turn, Gqozo was incapable of perceiving their deceit. To the contrary, he accepted their every word as Holy Writ and refused to receive information or intelligence reports from any other source, let alone his own intelligence services, ministers or government.

Due to the misinformation the IR-CIS was feeding Gqozo, he, towards the end of 1990, unexpectedly turned against the ANC alliance and attacked it with vitriolic condemnation. This volte-face by Gqozo was incomprehensible as the ANC had the greatest following not

only in Ciskei, but also in the greater South Africa, and it was manifest that in the not too distant future it would become the ruling party in a unified South Africa, which would include Ciskei. It seems that when Gqozo's grandparents baptised him 'Oupa Joshua,' they gave him the wrong biblical name: it should have been 'Oupa David.' When he threw down the gauntlet to the ANC alliance everyone, excepting Gqozo himself, realised that this was another David and Goliath contest, the outcome whereof would be quite different to the biblical contest. And so it was: Gqozo was trampled underfoot.

The decision to oppose the ANC was the first of many unwarranted and disastrous moves by Gqozo, which would have both a lasting and debilitating effect on Ciskei, and would alienate him from his own people. The next such decision was when he, once again at the instigation of the IR-CIS, lured Onward Guzana and Charles Sebe to their deaths on 27 and 28 January 1991. This incident caused resentment in many of his followers.

The dust around the deaths of Guzana and Charles Sebe had hardly settled when Gqozo, again acting on the advice of the IR-CIS, made his next palpably wrong move. He falsely accused Brigadier Jamangile and seven other senior officers of the CDF of attempting a coup on 9 February 1991. All were arrested, detained and charged with treason. On 8 March 1991 the charges were withdrawn and the officers dismissed. They had never attempted a coup and all were innocent. So much so that years later the unified government of South Africa had to pay the officers damages for wrongful arrest, detention and dismissal.

When, after an on-going strike in 1990 and 1991, Gqozo dismissed 3000 civil servants and had them evicted from their homes, he antagonised and alienated not only the civil servants, who were the major component of both the white-collar labour force and the emerging middle class in the country, but also the trade unions and the broad spectrum of workers.

In July and August 1991 Gqozo took two steps that increased the breach between the people of Ciskei and himself, and led to extended violence and many deaths in Ciskei. The first was when in July he established a new political party, the African Democratic Movement (ADM), which was created to oppose the ANC. It became the party of the state

and all headmen, civil servants and members of the security services were expected to belong to it. Everyone, except Gqozo, was not surprised that the creation of the new party led to a great deal of fighting, bloodshed and killing between its members, duly supported by the security forces, and the supporters of the ANC alliance.

The second false step was to do away with the highly popular residents committees in August 1991, and to re-introduce the unpopular headmen to govern local affairs. This step was taken, once again, at the instigation of the IR-CIS, who warned Gqozo that because the ANC had taken control of the residents associations, he was losing touch with his people at grass-roots level. The animosity of the populace to the headmen was exacerbated when the latter were compelled to become members of the ADM. They, who were now seen as lackeys of the ADM and the government, were supposed to rule over the people who were virtually to a man members or supporters of the opposing ANC party.

It was once again obvious to everyone, except Gqozo, that the appointment of the headmen would also lead to unrest and violence in Ciskei. And so it was: during 1992, and to a lesser extent 1993 and 1994, Ciskei was in a virtual state of civil war. The supporters of the opposing parties, the ADM and the ANC alliance, were at one another's throats and violence, killings and arson, by both parties, were the order of the day. Anyone or anything connected to Gqozo's government - headmen, members of the CDF, police force, civil service, and their families - were attacked and killed and their homes burnt and destroyed. The fear that the violence inculcated in the minds of not only the judiciary in the lower courts, but also in all those in authority in Gqozo's government, had a pronounced debilitating effect on the administration of justice and on governance in general in Ciskei.

The last straw in the erosion of Gqozo's reputation was the Bhisho Massacre. Despite his having acted in a restrained and statesman-like manner concerning the march, and having done everything in his power to regulate it and prevent violence, he was still condemned for what happened. This was one of the few events in his rule in which he was not personally responsible for the tragic result. The fact that culpability for the march and the killings lay predominantly with the leaders of the march was immaterial in the eyes of the public and the critics, who held Gqozo liable because it was his army that fired on and

killed the demonstrators. The massacre was the death knell of Gqozo's esteem in the eyes of the majority of Ciskeians.

When considering why Gqozo's rule was a political and administrative disaster we must bear in mind that he did not choose to be the leader of the coup and ruler of Ciskei. That he found himself in that position was purely fortuitous. The coup was a domestic exercise, conceived and enacted by officers of the CDF only – neither South Africa, nor any third force played any part in it, or in the choice of Gqozo as its leader. The officers who had commenced the coup were nervous of possible intervention by the SADF. They therefore sought a leader who was on a good footing and was trusted by the South Africans; one who could placate both its politicians and its military, and could prevent any intervention in the coup by South Africa. Gqozo fitted this bill admirably as he had not only been a member of the SADF, but had also until recently been the military attaché of Ciskei in Pretoria. He clearly got on well with the officers and other members of the SADF. He was therefore chosen to lead the coup, not due to his ever having exhibited any virtues or abilities of leadership, but simply due to his relationship with the SADF and the South Africans in general. When, during the early hours of 4 March 1990, the first steps were taken in Bhisho to overthrow Lennox Sebe, Gqozo was not present. He was on holiday on a farm in the Seymour district. He was summonsed to Bhisho by the officers of the CDF and only after two other officers had declined to lead the coup, did he accept the position.

We must also bear in mind that Gqozo seems to have been both academically and intellectually ill-equipped to rule a country, and that the task to do so was apparently beyond his ability. He did not have the necessary academic qualifications, training or experience to run a country, nor did he appear to be psychologically fit to do so; he was paranoiac about his own well-being and that of his government. After matriculating Gqozo commenced service in the South African Prison Service, from which he was transferred to the SADF, and then to the CDF. In both the Prison Service and the two armies he spent most of his time as a physical training instructor, save for two years shortly before the coup when he was Ciskei's military attaché in Pretoria. Gqozo was a soldier, not a ruler!

Gqozo has always had, and still has a pleasant, disarming and attractive personality. This trait has been confirmed by those who have come into contact with him. Advocate Keith Matthee (Minister of Justice), Dr Henk Kayser (Minister of Health) and Attorney Malcolm Webb (Minister of Foreign Affairs), and even outsiders such as Dr.Kelvin Rivett, have stated how well they got on with him and how they liked him as a person. Gqozo was also a dedicated family man.

There is no doubt that Gqozo was totally free of corruption; when he resigned there was no Swiss bank account, or other accumulation of personal riches. During his reign he did acquire Blacklands and a property on the Ciskei coast, but the Heath Commission found that both these properties were purchased lawfully and that the deals were above board. Anthoni Styliano tells that when he served on a commission of enquiry into corruption in the Department of Agriculture, the commission found that when Gqozo purchased his property on the coast the valuator, unbeknown to Gqozo, had under-valued it by R100 000. When told about the under-valuation, Gqozo's response was: 'Then I must now pay that amount in.' He then paid the sum of R100 000 to the State.

Lastly, when considering Gqozo's good traits, mention must be made that he appeared to respect the rule of law. Enacting the bill of rights and his refusal to condemn the courts when they turned its provisions against him, seems proof hereof. Unfortunately these good attributes – a charismatic character, a dedicated family man, free of corruption and a respect of the rule of law - did not equip Gqozo to run a country.

What does appear as an ever-present dark cloud over the reign of Oupa Gqozo is his constant fear and delusion of someone dethroning him. We see him starting his reign as a confident ruler, full of hope and good ideas. Then, a short while later, there are three or four alleged coups and plots against his rule, all without substance, which result in the dismissal of two of the original members of the executive committee, Colonel Anton Guzana and Major Peter Hauser, the death of Guzana and General Charles Sebe, and the dismissal of the cream of the officers in the CDF. A further example of this abiding fear of being displaced is his failure to call on the advice and assistance of Paramount Chief Sandile, a highly revered and influential authority in Ciskei, whom he feared would usurp his power. This paranoia was carefully cultured

by those, such as the IR-CIS and MMS, who wished to use him in their own game of power. The misinformation fed to Gqozo by these organisations, and the fear it inculcated in him, brought him into constant conflict with all and sundry: the ANC, the South African government and his own people.

Gqozo's paranoia, coupled with his other inadequacies as a ruler, not only made it impossible for him to rule efficiently, but also placed so much pressure on him that towards the end of his reign he had a physical and mental collapse that necessitated treatment in mental hospitals in Cape Town and Queenstown.

It is also doubtful whether Gqozo had the necessary mental ability for the task. He could not realise when he was being misled by his advisers, nor did he have the necessary insight or foresight to recognise the implications, present or future, of his actions. An example of this defect was when Gqozo, despite ample advice to the contrary, turned against and rejected the ANC, which not only had the major following in Ciskei, but would also shortly govern the unified South Africa, which would include Ciskei. Everyone, excepting Gqozo, realised that turning against the ANC was a fatal step in his governance, which would surely lead to his downfall. In brief, the task of ruling a country was simply a step beyond his capabilities. It is therefore not surprising that by the end of his reign the responsibilities of being a ruler had simply overwhelmed him.

Due to his lack of ability, Gqozo relied heavily on the advice of his advisers to assist and guide him. When the advisers were capable, his governance was sound, but when they were incapable or misleading, his governance failed. So, for example, when Advocate Keith Matthee and other legal personalities assisted him in the halcyon days of his rule, he did many good things, but when the likes of Nieuwoudt and Brink of the IR-CIS, or even the Van Rensburg brothers of the MMS, were at his side, everything went wrong. As has already been stated, Gqozo was sadly not able to distinguish between good or bad advisers, nor, for that matter, between good or bad advice, nor did he have the foresight to realise the implications of the advice he was given.

A final deficiency in Gqozo's attributes to reign, and one over which he had no control and could hardly remedy, was that he grew up in the Orange Free State and came to Ciskei only in 1981. He was an unknown entity to the people of Ciskei and they were heard to say: 'Who is this young boy? Where does he come from, we do not know him?' If he had been known and respected, he would possibly have had a less traumatic reign.

It seems that although Gqozo was basically an honest and law-abiding person, who could, generally speaking, be described by the oxymoron 'a benign or good dictator,' he did not possess the necessary attributes to rule a country and could simply not do so successfully. It is therefore nor surprising that during his reign so many people and powers, on so many occasions, called for him to be dismissed and to be replaced by an administrator.

To what extent was Gqozo the South African government's lackey, or as Chris Hani labelled him: 'F.W.de Klerk's kitchen boy?' Although Ciskei received a substantial annual payment from the South Africa government and relied heavily on the services of its seconded officials, there is no evidence that Ciskei, or its leader, was subservient to its benefactor. To the contrary, both Sebe and Gqozo were very intent and protective of Ciskei's sovereignty, and were resistant to any overt political interference by South Africa.

South Africa's Minister of Foreign Affairs, Pik Botha, has lamented that he on numerous occasions unsuccessfully suggested that Gqozo should stand down as the head of state in Ciskei. On each occasion he was rebuffed. A further example of this intransigent attitude surfaced when after the Bhisho Massacre everyone thought Gqozo would resign, but instead he let it be known that: 'I am no pushover!' His refusal to step down was foolish in the extreme as had he done so he would have been assured of a substantial pension and a comfortable retirement. He must have been too proud or unrealistic to relinquish his position, or even oblivious to the trend of events that were overtaking him. Whatever motivated Gqozo, by refusing Botha's offers he has now sadly ended up on an impecunious ash heap.

Although there was no direct control of Gqozo by the ministers of the South African government, there was undoubtedly indirect control of him by other elements of that state, such as the agents of the IR-CIS (Nieuwoudt, Brink, etc.), who manifestly manipulated Gqozo into following the paths and policies that the SADF wished him to take. As there is

substantial evidence that the South African political hierarchy was aware of the violence and destabilisation that its structures were causing during the 1990-1992 period, it is reasonable to accept that they were also aware of the destabilisation being caused by organisations such as the IR-CIS.

Possibly the best way to assess Gqozo's attributes to rule, and the manner and effectiveness of his governance, is to compare his time in office with that of his predecessor, Lennox Sebe. Gqozo was simply not a ruler in the same mould as Sebe, who was an autocratic, iron-fisted dictator. Sebe was a well-educated and clever man, who was accustomed to being in authority. He brooked no opposition or interference, and he had no compunction about imprisoning his known, or even suspected, political opponents. He openly harassed his opponents until they either fled the country or ended up in a Ciskei prison. He used state funds for his, or his family's, personal use, or for grandeur to extend his image e.g. the Bulembu Airport and the Ntaba kaNdoda monument. He was nepotistic in the extreme and appointed the members of his family to important positions in government. We see none of these excesses in Gqozo. He neither harassed, or imprisoned his political opponents, or used state funds for his personal benefit, or appointed members of his family to positions in government. Gqozo was well-meaning and naive, but not a deliberate autocratic despot.

Sebe was a direct dictator who ordered the suppression of citizens, whereas Gqozo was an indirect dictator who, although not ordering directly the suppression of citizens, created a system whereby they would suffer hardship and be suppressed. He established the ADM, which was no less than the state in political form. All the state's employees – the security forces, headmen, civil servants, teachers, etc – had to be members of the ADM and were expected to oppose Gqozo's opponents, the ANC alliance. Although Gqozo did not make a habit of eradicating or incarcerating his political opponents, he was not averse, when the occasion arose, that this be done. The dismissal of the members of the executive committee, the senior officers of the CDF and the 3000 civil servants, and lastly, the killing of Anton Guzana and Charles Sebe, come to mind. Many of Gqozo's actions did, however, not arise from personal vindictiveness, but rather from an honest, yet mistaken, paranoiac-driven belief that

those affected had been involved in attempted coups. On many occasions he was simply misinformed, either purposely or mistakenly, by his advisers. The defining fact in Gqozo's favour in this respect is that he invariably left the final outcome of the matter to the decision of the courts, and never interfered with their judgments.

In the light of what has been stated above we may well ask if there was any difference in the objectives of the two rulers. Were they not of the same ilk in this respect? Was one not simply more brazen than the other? Despite the two rulers, however, having had the same objectives, there are certainly exceptional, even exonerating differences that make Gqozo less of a quintessential dictator than Sebe. Although Gqozo was undoubtedly a dictator, he was not the popular conception of a ruthless African dictator. There are many instances that set him aside from this category and very few that place him in it. He was not a power-crazed megalomaniac who forced everyone off the roads when he came by in his motorcade and he lived the simple life of a dedicated family-man; nothing ostentatious and no Swiss bank accounts. Gozo seems to have been too unsophisticated and naive an individual to be a ruthless dictator.

Gqozo’s greatest attribute, after his charismatic personality, was undoubtedly his total lack of corruption. As stated above, there is no evidence whatsoever that he ever illegally enriched himself, or his family and friends, at the expence of the state. After his resignation there was no investigation or, as in the case of Lennox Sebe, the appointment of a State Board to examine his and his families financial dealings whilst he was in power.

Whereas Sebe was nepotistic in the extreme and ensconced most of his family in high positions in the government, Gqozo never placed any of his family or friends in government posts.

Gqozo did also not spend the state’s money lavishly, as did Lennox Sebe. The only example of lavish spending by Gqozo was when near the end of his reign, after he appeared to have become disturbed psychologically, he spent R102 000 on a photograph of himself.

Whereas Sebe regularly interfered with all executive and administrative decisions, and even those of the judiciary, Gqozo appears to have done so very rarely concerning executive and administrative decisions, and never in respect of judicial decisions. When he was being pummelled by the courts for acting contrary to the provisions of the bill of rights he neither criticised the courts, nor interfered with their judgments or with the appointments of the judges who handed them down. He simply accepted the decisions as the final word on the matter.

A further distinction between the two rulers is the respect shown to their peers. In Sebe's time even such influential persons as cabinet ministers would be summonsed to meet the President urgently at a fixed time, only to sit around kicking their heels at his office for the whole day and then to be told that the President was otherwise engaged and that they should return some other time. That never happened with Gqozo. If he arranged to meet someone at a fixed time, the meeting or discussion would start promptly at the arranged time. Perhaps this was his military training coming to the fore.

Gqozo's faults were, as stated above, more often than not unintentional and rather due to his inability, lack of insight and foresight, and reliance on false or incorrect advice. Apart from the Charles Sebe incident, he never ordered the killing of political opponents. Nevertheless, the formation of the ADM and the appointment of headmen occasioned a brutal civil war in Ciskei.

The basic difference between Sebe and Gqozo as rulers was that whereas Sebe was an overt dictator, Gqozo was an inadvertent dictator.

Who or what kept Gqozo in power for four years? It seems that there were outside forces, other than Gqozo himself, that did so for their own ulterior motives. The first force was the CDF, which knew that as long as Gqozo was at the helm they would be looked after. He was always popular with the rank and file in the army. So too did the SADF want him in power as a bulwark against the ANC alliance and Transkei. The real force, however, that kept him in power seems to have been the South African government, who retained him in power for their own selfish motives. The analogy of feeding and caring for a caged wild animal in a zoo, so that it can be displayed to all and sundry, comes to mind. South Africa had the easiest

and quickest means of putting an end to Gqozo's rule. Despite the protestations of the South African Minister of Foreign Affairs, Pik Botha, all that South Africa had to do was to revoke Ciskei's sovereignty, or, if that were not possible, to withhold its financial assistance and withdraw its seconded personnel. Why did South Africa not do so? The only answer to this conundrum is that if it had, it would have been an acknowledgement by South Africa of the failure of not only the bantustan, homeland and separate development policies, but also of the whole apartheid edifice. As the *Eastern Province Herald* stated on 8 September 1992: it would have been an acknowledgement of 'the monumental error of Verwoerdism.' Rather than kill the caged animal, feed it and exhibit it to the rest of the world as a thing of professed beauty! When we recall the hardship and misery the people of Ciskei had to endure due to South Africa's failure to act, we can only regret that politics rules the world.

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