

TRUTH AND RECONCILIATION COMMISSION

HUMAN RIGHTS VIOLATIONS

QUESTIONS AND REPLIES

SECTION 29 INQUIRY

DATE: 29 MAY 1997

NAME: J NGXOBANGWANA

CASE: CAPE TOWN

DAY: 1

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CHAIRPERSON: Good morning. Is it Mr Ngxobangwana?

MR NGXOBANGWANA: Yes.

CHAIRPERSON: Let me say first that we are - put on the ear-phone and switch on to channel 3. English is channel 2. Let me say that we are particularly happy to see you this morning, because our correspondents' attempts to reach you have not been successful and we were anxious about whether or not you were going to be here or not this morning. So I am particularly pleased on behalf of the TRC to welcome you here.

MR NGXOBANGWANA: Thank you.

CHAIRPERSON: Part of our mission in meeting with you this morning is to fulfil our mandate to investigate gross human right violations between the period 1960 to 1994. The topic of our investigation today, the gross human rights violations perpetrated in the areas of Crossroads, KTC, New Crossroads and Guguletu, particularly during the period of 1985/1986. Statements have been submitted by victims and survivors about their gross human rights violations which were visited upon them during that period. We have every belief that you would be of assistance in furthering our

investigation.

This is not a court of law. We depend particularly on you and others involved in this, to be forthright, to be honest, so that we may understand and get a perspective about the background, the motivation and the patterns of abuse that are the topic of our discussion this morning.

Our procedures will consist of questions, very pointed poignant questions that require - and I must emphasise that require in order for us to make facts of the gross human rights violations in that area, or in those areas during that period. It is important that you provide us with some assistance so that we may be able to make a finding.

So our process this morning will consist of questions from our investigative team; Mr Lucky Gonsela to my extreme left, Ms Pumla Dwane-Altman, on my left, and to my right Mr Mark Killian. I will be chairing this session.

Sir, feel free to use whatever language is comfortable for you. We have translators who will communicate that information for us. Before we go on, may I ask you - I need to take an oath or affirmation and I need to ask you to stand.

JOHNSON NKANGELE NGXOBANGWANA: (Duly sworn, states).

CHAIRPERSON: Thank you, Sir. Ms Pumla Appleman is going to be the one who will start. Feel free to replenish yourself with some water or if you don't understand a question, to ask that it be repeated. Thank you.

MS DWANE-ALTMAN: I just want to ask you a couple of questions. The first question we will be starting with is your background; where you came from, how you came to Cape Town and if you can give us the exact dates, if possible.

MR NGXOBANGWANA: I came to Cape Town in 1950 from Ciskei.

SECTION 29

TRC/CAPE TOWN

3

MR J NGXOBANGWANA

I cam here in June 1950, from King William's Town in Ciskei. I am Johnson Nkangele Ngxobangwana and I came to Cape Town then.

MS DWANE-ALTMAN: Did you come here to work? I mean where did you start living, could you just elaborate? We are looking at the years from about that period to 1984.

MR NGXOBANGWANA: I got here at the time when the pass laws were being enforced. I hiked to Cape Town and I got - I arrived at the main barracks in Langa and then we would be scared out of there and sometimes go and sleep in the bush, from time to time. I would sometimes even go and squat along the river at Table Bay Harbour until 1975, where I was squatting along the river. In 1975 I moved to Crossroads where I lived until I was appointed to represent the people in the ~~protest against~~ pass laws. From 1975 I tried and then in 1980 there was this new law where people could get monthly passes and we carried on until the pass was abolished.

I was in Crossroad up until 1990, when I left, because there was this conflict which was unsettling, and then I moved to a place called Driftsands, and I stayed there. We were unhappy there because it was cold. The place was fit for animals, but we were forced to stay there, because we had left Crossroads under those circumstances. Then we fought for them to fix the place for us. Then the Cape Provincial Administration gave us water facilities. The place was upgraded and we got water facilities. They fixed the roads. They gave us electricity and things were better.

In 1994 there was conflict in Driftsands and I realised that this was not going to be my cup of tea either, because of the conflict. I then moved to Green Park opposite Delft

SECTION 29

TRC/CAPE TOWN

4

MR J NGXOBANGWANA

and lived in that bush there. Other people also came to join us there and we are still living there today. We are trying to negotiate with the authorities to upgrade the place for us and provide us with facilities.

MS DWANE-ALTMAN: When you talk about the barracks in Langa, was that the Langa hostels?

MR NGXOBANGWANA: Yes, I am talking about the hostels.

MS DWANE-ALTMAN: You mention in your testimony that you became a leader in Crossroads, round about 1975. Who were the leaders by that time when you got there.

MR NGXOBANGWANA: When I got to Crossroads, I wasn't sure who the leader was. There was an acting leader there, Mr Johnson Ndye who has since passed away. Since they were the first people to stay in Cape Town they had passports but his wife didn't have a pass. They couldn't stay in Crossroads because his wife didn't have a pass. Then a decision was taken that everyone with a pass should be taken to KTC to go and fix the pass for his wife. Then he went there to go and assist his wife. Then I was elected to carry on with the fight for passports, for passes.

MS DWANE-ALTMAN: What year was this?

MR NGXOBANGWANA: In 1975, at the end of 1975. I got there early in 1975. There weren't too many people in Crossroads. There were still very few people.

MS DWANE-ALTMAN: What were the structures in place at the time when you came there in 1975?

MR NGXOBANGWANA: There was nothing.

MS DWANE-ALTMAN: So when you say you were elected a leader, did you have some kind of committee?

MR NGXOBANGWANA: Yes, there was a committee.

MS DWANE-ALTMAN: Could you tell us more about that

SECTION 29

TRC/CAPE TOWN

5

MR J NGXOBANGWANA

committee, who sat on that committee?

MR NGXOBANGWANA: That is going to be difficult to explain because some of them have passed away. A lot of people have since passed away and I didn't know them too well, but there were those who I did know, who were in the committee, like Mr Nlongwe who was a committee member, Mr Masere has since passed away, Mr Sogo has since passed away, Mr Siphiso has since passed away. Mr Nlongwe is the one who is still there and I don't know where the others went to. They probably moved to Transvaal. Mr Nlongwe and Mr Sam Ndima are still alive although they are old.

MS DWANE-ALTMAN: Now what positions did they occupy in this Section in this committee?

MR NGXOBANGWANA: Mr Nlongwe had no position, because after the elections since I saw that there are more people coming into the location, I suggested that there must be Sections, different sections. Section 1 had to have these old headmen and Section 2 his old headmen, so that people can - so that leaders can be close to people. Then we elected these headmen. This decision was taken by the community.

MS DWANE-ALTMAN: So in other words Mr Nlongwe was one of the headmen for one of the Sections. Is that correct?

MR NGXOBANGWANA: Yes, that's correct.

MS DWANE-ALTMAN: And could you tell me about Mr Masele, Mr Sogo, Mr Siphiso and Mr Sam Dima. What positions did they occupy?

MR NGXOBANGWANA: Mr Soko had no position. We used to send him here and there. Sam Dima used to go around to meetings if we had a problem and we wanted to call people. He was the one sent out to people to call them to the meetings and we would discuss this issue about the passes.

That was his

SECTION 29

TRC/CAPE TOWN

6

MR J NGXOBANGWANA

position. Nlongwe was the headman in Section 4. Masela was also a headman in Section 4, but in a different area. He passed away and Sogo also passed away.

MS DWANE-ALTMAN: What about Mr Siphiso?

MR NGXOBANGWANA: He also passed away. He was a headman in Section 3.

MS DWANE-ALTMAN: Now you mention headmen. What was the function of the headman in the different sections?

MR NGXOBANGWANA: Their function was that as the people were growing in the township, it was difficult for one person to lead the whole community. We wanted to have different sections and different headmen so that people can be close enough to the headman. If people in that section have a problem they would consult - if people in the community would have a problem they would consult the headman in question. That was our intention.

MS DWANE-ALTMAN: So what you are saying is that when there was a problem, for example, in Section 1, people would contact that headman before actually approaching the leader. Was that the procedure?

MR NGXOBANGWANA: Yes, people from that section will go to that headman's section. Or for example, if there is a conflict between children, and the parents would intervene, they would go to the headman and try to solve the problem.

That was our intention to elect the headmen. I was elected

to fight the passes.

MS DWANE-ALTMAN: So you were the overall leader amongst all these people. Is that correct?

MR NGXOBANGWANA: Yes, that's correct.

MS DWANE-ALTMAN: I pass on to my colleagues for the moment.

MR NJOZELA: I greet you, Sir. Sir, there was a question

SECTION 29

TRC/CAPE TOWN

7

MR J NGXOBANGWANA

here before about the structures in the community. You mentioned headmen. My question is that were there any other structures, except the ones mentioned?

MR NGXOBANGWANA: No, there were only headmen.

MR NJOZELA: You also mentioned that each section had its own headman?

MR NGXOBANGWANA: Yes.

MR NJOZELA: So were there any meetings between the headmen of different sections?

MR NGXOBANGWANA: Yes, there were meetings every week. Weekly they would get together and discuss the problems of each section and try to find a solution for that problem.

MR NJOZELA: You said that you were a leader of Crossroads. Who was the leader of the headmen, as they used to have these meetings?

MR NGXOBANGWANA: They elected Mr Sopesega and when he passed away they elected Mr Jeffrey Nlongwe, who was the chief of the headmen. He was not elected by me, he was elected by the headmen because they said that they wanted a chief of the headmen.

MR NJOZELA: Thank you, Sir.

MS DWANE-ALTMAN: Thank you, Sir. As you say that you were fighting for passes, who did you meet with regarding these pass laws?

MR NGXOBANGWANA: The passes - let me say that when we got to Crossroads, the boers were looking for us and we could not sleep at our homes. And we used to go and meet with them in Nonzumba when someone would be arrested. We said that - we discussed with them, saying that they must give us passes because they were arresting people without passes. Mr Konufo then came, trying to solve the problem. After that

SECTION 29

TRC/CAPE TOWN

8

MR J NGXOBANGWANA

we then consulted the Nyanga office at Nonzumba and they were trying to solve our problem there in that office. And we were told that we were going to be given passes so that we can be residents of Cape Town. It is then that we got passes and after a while this stopped.

MS DWANE-ALTMAN: You mentioned when you had to meet with them, who are you referring to, in particular?

MR NGXOBANGWANA: ~~It was a~~ Mr Patterson, Mr McLachlan, there were many of them, but they were white people. I remember Mr McLachlan, Mr Pattersen, Mr Gunter and Mr Louw.

MS DWANE-ALTMAN: Were these the people from the local authority boards?

MR NGXOBANGWANA: Yes. It was known as the Administration Board.

MS DWANE-ALTMAN: Have you met Mr Shelhause?

MR NGXOBANGWANA: Yes. He used to be there but he would not discuss, he would just listen.

MS DWANE-ALTMAN: Where was he based at that time when these problems were happening around the pass laws?

MR NGXOBANGWANA: He was based in Langa.

MS DWANE-ALTMAN: And could you just elaborate a bit further, about what his role was in this whole pass law era?



MR NGXOBANGWANA: He had no role in pass laws. If I am not mistaken he was a leader of houses in the Administration Board. He used to come and listen to our discussions. He was on the Administration Board. If I am not mistaken, but I think it is like that.

MS DWANE-ALTMAN: Do you know what his concern was? I mean, here you are discussing passes and he is playing a totally different role. I mean his role is to look at this whole issue of housing. Of what relevance were these meetings to

SECTION 29

TRC/CAPE TOWN

9

MR J NGXOBANGWANA

him, would you know?

MR NGXOBANGWANA: I don't know. Because he was working together with Mr Patterson. The meeting was open for everybody. He would come other days, and he would not be there on other days.

MS DWANE-ALTMAN: Let me just mention another name. Would you happen to know a Mr Bezuidenhout?

MR NGXOBANGWANA: Yes, I know Mr Bezuidenhout, because he was there when we were trying to fight against the passes.

MS DWANE-ALTMAN: Which structure was he coming from, do you know?

MR NGXOBANGWANA: I don't know. His office was on the Foreshore.

MR KILLIAN: Morning. Mr Ngxobangwana, at the stage when you moved into Crossroads, and you settled there, was there any other people who settled near to your section or close-by?

MR NGXOBANGWANA: When we got to Crossroads, when we got to Crossroads there was no one there. People came after a while. When we got there, there was no one. I think there were only three houses belonging to coloured people and

after that they left. I think people came after two or three years, if I am not mistaken. Mr Yamile was one of those people. We saw them arriving on a Sunday. We were attending a meeting on that day. We sent people to ask their whereabouts, and we asked them to call them to the meeting. They came to the meeting, saying that they were staying in town in Cathedral church, they said that they were chased away there. We then decided to find a place for them in that area and we found that place.

MR KILLIAN: So they were then part of Old Crossroads now or were they put into a different section and ...

SECTION 29

TRC/CAPE TOWN

10

MR J NGXOBANGWANA

MR NGXOBANGWANA: We gave them a place to stay. There were four sections at that time in Crossroads and they stayed in Section 5 in Crossroads. We said that we must start another section because we could not chase them away and it was during winter and they had children with them. We gave them money to buy food and to look for a place to stay. If they like, we said that they can become part of us. Thank you.

MR KILLIAN: So now you had another group of people with a new leader?

MR NGXOBANGWANA: Yes. Because Mr Dlamini wanted to be a leader of his people. We did not stop him. But we just said that we don't want conflict in our area. We said that they can come and fetch water in our area and they can build their own toilets, so that we can be in peace.

MR KILLIAN: Now you mentioned, you said that you don't want any conflict in your area. Did you see the moving in of Dlamini and his group as a possible threat to you people?

MR NGXOBANGWANA: No, we did not see it as a threat, but we wanted him to lead his people, because he used to lead them and he would lead them accordingly. We did not have anything against them. But we decided that he must rule his people, but we have to be in peace with each other. It was not a problem, he was not a threat, but we just said that we don't want any conflict in our area.

MR KILLIAN: After Mr Dlamini moved in, did they moved other groups, did they come into Crossroads, any other groups after Mr Dlamini?

MR NGXOBANGWANA: Sir, I can't remember clearly because this happened a long time ago. If I am not mistaken, the person who arrived first there, he came with Miriam Mobosi and he found a place to stay near Nyanga. It was not too

SECTION 29

TRC/CAPE TOWN

11

MR J NGXOBANGWANA

far from Crossroads. He said that he was looking for a place for people who were coming from the Cathedral Church.

And they found a place, they stayed there. But the person I am sure of, is Dlamini, I don't remember quite clearly about others. But I think there were other people from Mr Dlamini's group, I heard that there was a place called Portland Cement, under Mr Thys, and after that there was a problem. I saw Mr Mebetha coming to me, saying that Mr Ngxobangwana, there is a problem. I said what was the problem. He said that Mr Kulesa and his group are in conflict. I did not know Mr Kulesa at the time. We then called them in a meeting. We saw that they were fighting with each other. (Indistinct) was not staying in his house and Mr Swazi, who was working in Crossroads. We tried to stop this, myself and mr Mbetha. I looked for Kulesa because he was not there in a meeting when we were discussing this. I asked him why did you not go. He said he

was scared. I told him to move to my section, because I could see that he was the one causing the conflict. He wanted to lead these people and these people did not want to be led by him. He then moved nearer my section and he moved to Site B at the time, and thank you.

MR NJOZELA: Sir, I am sorry to repeat what was already said. You spoke about the leaders and you are one of the leaders and there were structures of headmen. I would like you to explain to us how these leaders were elected.

MR NGXOBANGWANA: Let me start with me. Let me explain how I was elected. When I was elected the people voted. I think there were 12 men. The residents say that a person should be elected by the people and we have to give out our photographs so that people can see us. The people then voted.

SECTION 29

TRC/CAPE TOWN



MR. J NGXOBANGWANA

and I was the one who won votes and Mr Memani who was also elected by the people. It was the headmen that said that the residents may appoint or elect a headman, each section must select their own headman. And from there they would come with the headmen to us and we would welcome the headmen as the headmen and give him the way to work.

MS DWANE-ALTMAN: You mentioned that Mr Memani was also elected into the executive. Was he the vice-chairperson?

MR NGXOBANGWANA: Yes, he was my vice-chairperson.

MS DWANE-ALTMAN: Did you have a secretary at all?

MR NGXOBANGWANA: Yes, we did have a secretary.

MS DWANE-ALTMAN: Could you give us her name, please?

MR NGXOBANGWANA: Our secretary was Mr Ndabaninzi who has since passed away.

MS DWANE-ALTMAN: Do you have - sorry, how many people made up this committee, would this be 12 men or am I mistaken?

MR NGXOBANGWANA: Yes, there were 12 of us and the committee consisted of 14 people. There were ladies and gentlemen. It wasn't only a male, it wasn't a male only committee.

MS DWANE-ALTMAN: Now you mention ladies. Are there any other names that you might remember of the women that were in this committee?

MR NGXOBANGWANA: Yes, I can remember them. I remember Mrs Yanda. I remember Mrs Luke and I remember Mrs Nondangana. I also remember Mrs Luthango. Those are the ones that I can remember. You must bear in mind that this has been a long time.

MS DWANE-ALTMAN: Thank you very much. Now on this whole question you mentioned that Mr Yamile arrived in the area. Could you just tell us what year that was? Was it in the seventies, was it in the eighties?

SECTION 29



TRC/CAPE TOWN

MR J NGXOBANGWANA

MR NGXOBANGWANA: Madam, I cannot remember. Although - I speak under correction, although I seem to remember it having been in the seventies. If I am not mistaken, either 1978 or 1979. But I think it was on a Sunday when he first arrived there, I cannot remember the exact year. These things were - I had them all on record, but my place was burnt down at some stage and I lost all the documentation.

MS DWANE-ALTMAN: And you also mentioned that they were placed at Section 4 and Section 5. Am I correct?

MR NGXOBANGWANA: Who are you referring to?

MS DWANE-ALTMAN: I am referring to Mr Yamile's group.

MR NGXOBANGWANA: We gave them Section 4 - Section 4 and Section 5 are divided by a street. We gave them Section 4 to live in because there was no one living there.

MS DWANE-ALTMAN: Would that be, what would the street name be, would it be Mahobe Drive or I stand under correction on this.

MR NGXOBANGWANA: Mahobe Drive separates Crossroads and Nyanga. We put them between Crossroads and Mahobe Drive. Eisleben Road. When you leave the office at Crossroads, going towards Mitchell's Plain, they were on the Crossroads side. These days towards these (indistinct) homes and the Top Core Houses. That's where they were.

MS DWANE-ALTMAN: Near Crossroads. So Old Crossroads being not far from Klipfontein Road, and then would it mean that those are the places like Section 4 and Section 5 would be near, would be below?

MR NGXOBANGWANA: Let me put it this way. Crossroads is between Klipfontein Road and Lansdowne Road. Lansdowne Road is on the one side, and on this side it is Klipfontein Road. Crossroads is in the middle. And then on the other side of



SECTION 29

TRC/CAPE TOWN

14

MR J NGXOBANGWANA

Crossroads, towards Nyanga there is a big space and then there is this place called Mahobe Drive which becomes Eisleben Road towards Mitchell's Plain, and then they were on this side where the new houses are. This is where they were put, where the new houses are now.

MS DWANE-ALTMAN: Sir, would I be correct in saying that Section 4 and 5 could have been Nyanga Extension and Nyanga Bush? I don't know, I stand under correction.

MR NGXOBANGWANA: They ended up referring to Section 5 as Nyanga Bush. But it is not like that on record, because we could not all live in this place. There were too many of us in Crossroads at the time, but you see, that because there was this piece of land, they could stay there. That

is part of Crossroads and the one would call it Portland Cement, the other one would call it Nyanga Bush, the other one would call it Nyanga Extension and that was the time where several people wanted to be leaders.

MS DWANE-ALTMAN: What was Section 4 commonly known as? Do you remember?

MR NGXOBANGWANA: It was Section 4. They were near Section 4, very close to Section 4. If there was a map I would show you exactly where they were. They were very close to Section 4. They used to go and get their water from Section 4 and even the clinic was in Section 4, because every Wednesday a mobile clinic would come for pregnant women and women who had just had babies and so forth, in Section 4, and they would make use of that facility.

MS DWANE-ALTMAN: You also mention in your testimony that in Portlands Cement there was a problem and Mr Mabetha came to see you about this. Was this Mr Oscar Mabetha?

MR NGXOBANGWANA: Yes, it is Mr Oscar Mabetha. I am not

SECTION 29

TRC/CAPE TOWN

15

MR J NGXOBANGWANA

saying that this happened at Portlands Cement. They were between Portlands Cement and I don't know what this other place is, but they were there Portlands Cement, when they got into conflict with Yamile and when Oscar Mabetha came to me and told me about the problem. Mr Stiga came to me at some stage and said look, please discuss this, so that we can get a good perspective on this. Then it seemed as though one of them hadn't slept the previous night and then we were told that Mabetha was going by car and we went with Mr Stuurman from Guguletu who was part of the UDF. We called them all together and we sat down and we discussed it, but Mr Goliswa was not there. They came late and I said that they should leave there and come and erect his

shack next to mine because he was going to cause more conflict, because they did not want him as the leader where he was, and that he came to erect his place next to mine. After that he said he got a place in Site B. I said very well, then if he could go to Site B, but that was, I think they said that he was the leader and Mr Thoiso was the leader, but we never went into that in great detail. What we were trying to put a stop to was the conflict.

MS DWANE-ALTMAN: Your role was to mediate, is that correct?

MR NGXOBANGWANA: That was what we were trying, Mr Mabetha and I, because we said to them we don't - if there is a problem we want you people to sit down so that we can discuss this problem and the problems are going to arise where there are too many of you living in one place, because each one is going to have a handful of followers and then there is going to be conflict. You all come so that we can sit down and discuss this and try and resolve this. Mr Stuurman then left and went to go and stay in Lusaka, after

SECTION 29

TRC/CAPE TOWN

16

MR J NGXOBANGWANA

Goliswa had left. Mr Sipigar then went to go and stay in Lusaka. And then it seemed as though they were getting along.

MS DWANE-ALTMAN: (Indistinct - speaker's microphone not on) ... know what the problems are all about, because both sides would have told you what they were fighting about. Could you just elaborate on what this whole conflict was about?

MR NGXOBANGWANA: Madam, we did not want to know what the conflict was all about. All we wanted to do was to say to them look - because what happened was; when you tried to



ask either party what the conflict was all about, they saw you as taking sides. So we did not want to get into the details of the conflict, rather we just asked them to stop the whole conflict. Because we said to them if you all want to be leaders, rather let the people vote their leader in position, and the person that gets the majority vote can lead. And we stopped the conflict, Mr Mabetha and I and it stopped, without wanting to know what their reasons were or what the cause of the conflict was.

CHAIRPERSON: Sir, are you suggesting that the whole conflict was because of the dispute about leadership?

MR NGXOBANGWANA: I did, it seemed so because after that conflict, after we sat down with them, Mr Sipiga left and there was no more conflict. So it gave us the impression that he - it was the struggle for power that perhaps Mr Sipiga left because he found a place where he could go and stay with his followers. And when he came to report to us, Mr Sipiga came to report to us that he had found a place where he could go and erect shacks. We told him he could go and there was no problem after that.

CHAIRPERSON: Did these leaders belong to different groups

SECTION 29

TRC/CAPE TOWN

17

MR J NGXOBANGWANA

that you could identify?

MR NGXOBANGWANA: Yes, it seems that Thoisa had his own group, Yamile had his own group and Mr Sipiga had his own group as well and these were different groups in that sense.

CHAIRPERSON: (Indistinct - speaker's mike not switched on).

MR NGXOBANGWANA: I don't know what he called it, but I know that he called the area Portlands Cement.

CHAIRPERSON: And Sipiga?

MR NGXOBANGWANA: When Sipiga left and went to erect shacks he called the area Lusaka.

CHAIRPERSON: And Mr Yamile?

MR NGXOBANGWANA: Yamile called his area Nyanga Bush.

CHAIRPERSON: Thank you.

MR NJOZELA: Sir, we would just ask you to elaborate for us. You say that Sipiga's place was called Lusaka. Is that correct? When he left Crossroads he went to go and erect his place and called it Lusaka. When he was at Crossroads, he never named any place, so you never heard any place being named by him?

MR NGXOBANGWANA: No. When he had left Crossroads I heard that he named the new area where they were going to squat, Lusaka.

MR NJOZELA: So the names that you knew were Portlands Cement and Nyanga Bush. You don't know anything about Nyanga Extension?

MR NGXOBANGWANA: No, I do not know anything about Nyanga Extension, although I just heard about it. I did not know about anyone saying that this is Nyanga Extension and I am the leader of this area. What I know about is Lusaka.

MR NJOZELA: So when you heard about Nyanga Extension didn't you ever know which part was being referred to?

SECTION 29

TRC/CAPE TOWN

18

MR J NGXOBANGWANA

MR NGXOBANGWANA: No.

MR NJOZELA: But when they spoke about it, did they say that it was still in Crossroads?

MR NGXOBANGWANA: Yes, they did, but I never knew which it was, but what would have confused anyone was the fact that there were no roads, because you know, where you could say that from this road to that road is such an area and from

that road to that road is such an area. There were no streets and in order to understand this, you could go and look. The differentiation could either have been made that a certain area's shacks be painted red and a certain area's shacks be painted yellow and a certain area's shacks be painted blue, so that a differentiation could be made.

MR NJOZELA: So if I understand you correctly, as a leader in Crossroads, you do not know anything about Nyanga Extension?

MR NGXOBANGWANA: I would hear about it, but I never knew where it was. Without telling a lie, I would not know where it was. I wouldn't even know who the leader of Nyanga Extension was. All I know is that when Sipiga left, he went and called the new squatter camp Lusaka. And I heard about a place called Nyanga Extension but I don't know where it was.

MR NJOZELA: You mentioned that when Mr Toise and Mr Yamile arrived you gave them Section 5, which at the time ended up being called Nyanga Bush and Portlands Cement. In your testimony you say that you gave them the right ...

MR NGXOBANGWANA: Not Toise, the person that came and we gave him a place - Toise and them were from Yamile's group, because it was still Portlands Cement. The person we gave a place was Mr Yamile.

SECTION 29

TRC/CAPE TOWN

19

MR J NGXOBANGWANA

MR NJOZELA: You gave Mr Yamile the right to occupy the land?

MR NGXOBANGWANA: Yes, we gave him the right to occupy this land because he did not have a place and he asked us and then we gave him this land to stay on.

MR NJOZELA: Was that your prerogative to grant rights or to give rights to people such as Yamile to occupy the land?

MR NGXOBANGWANA: This is how it worked. We did not have the right to give anyone land, but because we were all black people who were oppressed, we thought let us provide for each other and to just decide that we will discuss this with the boers when the time comes. In my discussion I said that I did not have a pass and I am not going to say to the next person, when the person looks for a place to stay, that he can't stay there. I would say that if somebody is coming to stay and then he has to stay there. If you don't, if you want to arrest a person, do that at the railway station and at the bus stop, but you are not going to take anyone out of here, because when they tried to move the people out, I would ask where they are taking them.

MR NJOZELA: And therefore felt morally obliged to consider his plight.

MR NGXOBANGWANA: Yes, I felt very sorry for them, because he was - he had women and children in his group and it was winter.

MR NJOZELA: So this occupation of this land had nothing to do with the oppression by the whites?

MR NGXOBANGWANA: No, we went and we put him there. There was conflict then and I said that if they wanted to evict them they should do that, but you have no right to evict people without providing them with alternative

SECTION 29

TRC/CAPE TOWN

20

MR J NGXOBANGWANA

accommodation; if you are going to evict them, you have to provide them with alternative accommodation and that is how Mr Yamile ended up staying there. He could also speak to the boers.

CHAIRPERSON: Just a question on the land. What you are suggesting is that you had land rights. Is that correct?

MR NGXOBANGWANA: We did not, we had no rights to the land, but we were trying to - we got land under - in the sense that we just went and we squatted there and that is how we obtained land. It is not that we had rights to that land as such.

CHAIRPERSON: So why would Yamile's group need permission to occupy that piece of land? If you didn't have any land rights **per se**?

MR NGXOBANGWANA: Firstly, where Yamile was going to squat, we were giving him a place so that he could be near to us. Because he would not have had water. Because if he was going to be far from us he would not have had water and we decided that he should squat near us so that he could have had access to water and so that they could have access to the clinic facilities. We gave it to him with that in mind and saying that stay close to us, so if there are any problems with the authorities, we can help you.

CHAIRPERSON: Thank you.

MS DWANE-ALTMAN: Who were you paying taxes to when you were staying on this land?

MR NGXOBANGWANA: We used to pay it to the Divisional Council at the bottom at the office there.

MS DWANE-ALTMAN: Would those be the offices on Mahobe Drive?

MR NGXOBANGWANA: No, it was in Klipfontein Road, on the SECTION 29 TRC/CAPE TOWN

21

MR J NGXOBANGWANA

corner there.

MS DWANE-ALTMAN: And did Yamile's group also pay taxes to this development board office?

MR NGXOBANGWANA: Yamile's people did not pay. They did not pay rent at all. We were the people who were paying rent because we had - we were paying for services for the

toilets and the water facilities, and by the time they got there, we were paying for services already. When they came I said look, when the authorities provide you people with services as well, you can pay service fees at the offices. And then eventually water facilities were installed and then toilet facilities were installed there and they were paying taxes, although we do not know how much the service charges were.

CHAIRPERSON: Sir, why was Mr Yamile so important to you and your group that you would protect him so much and even let him live on the land without paying the rent?

MR NGXOBANGWANA: It was not somebody important, it is just that we sympathised with a fellow black person who had a problem. Any black person for that matter. There were many people who were in New Crossroads at the time and just to place this in perspective. You will recall that you heard about a place which was at the bottom there, near Bellville, which - in Modderdam, where people were evicted.

Those people then moved to Crossroads. We didn't tell them that they couldn't stay there, because we knew that our pain was common and that was the pain about the pass laws, and even with Mr Yamile, we sympathised with him because if we were to say to him that he had to leave there, where was he going to go with his women and children. And that is why we ended up helping him. It is not that he was important to us or

SECTION 29

TRC/CAPE TOWN

22

MR J NGXOBANGWANA

anything like that. The problems were common and we all cried the same tears. We were all being oppressed, the pain was the same.

CHAIRPERSON: How big was Mr Yamile's group? Just an estimate.

MR NGXOBANGWANA: He had quite a few people, but they were quite a group.

CHAIRPERSON: One hundred, two hundred?

MR NGXOBANGWANA: No, no, approximately a thousand. They were definitely not 50 people, they were quite a sizeable group of people.

MS DWANE-ALTMAN: Sir, I have another question. Which system was being used in paying service fees?

MR NGXOBANGWANA: We would pay our rent at the end of the month, because on the first day of each month we had to go and pay.

MS DWANE-ALTMAN: So did each person go straight to the office?

MR NGXOBANGWANA: Yes, each person had their own card.

MS DWANE-ALTMAN: So no one was collecting the money here in the community?

MR NGXOBANGWANA: No, we did not allow that. We said that each person should go individually to the rent office and go and pay for their own services and each person had a card. But that created some problems. It was not easy because many people, the majority of people were unemployed and sometimes it was difficult for others to pay this money. And there was the threat that they were going to be evicted if they didn't pay. And then we had to fight, that didn't happen either. At some stage there was a threat that 40 people - 40 houses were going to be demolished and myself and Mr Thom

SECTION 29

TRC/CAPE TOWN

23

MR J NGXOBANGWANA

and someone else went to Bishop Tutu in Johannesburg, for money, so that we could pay these people's arrears. Unfortunately he was not there, he was abroad, and we left a message with his secretary. When he came back he gave us

the money. If I am not mistaken it was between 20 and R40 000,00 and we paid for all of them and that is how they survived. Because the problem was that they were unemployed. But we did not want them to be evicted. And sometimes if there were men that were busy, we would say look, from the people that were working, we would say let's try and put - get together some money so that we can go and pay, we can pay for these people. Because if these people are evicted, where are they going to stay? They are going to be around here, we did not want large families living in one home. We did not want several couples living in one home. That is why we tried to help the people because fair enough, people lived like that and there was a problem, they could stand together. And pay - they could contribute towards the expenses. But that sometimes when there were problems then it wasn't pleasant, because sometimes the cause of conflict was children and we did not want such problems. That's why we didn't want too many families staying in one home.

MR NJOZELA: Who decided that the service charge of R7,00 should be paid?

MR NGXOBANGWANA: Firstly, the reason for the R7,00 being paid was that we wanted the people - we wanted a toilet system because we didn't want people going to the bush for toilet facilities, because it would cause sickness. It was unhealthy, so we went to the Board and said we cannot keep going to the bush, there is no place here to go into the

SECTION 29

TRC/CAPE TOWN

24

MR J NGXOBANGWANA

bush, and then the boers said to speak to the Divisional Council because they could come around and collect the buckets, but we would have to pay. And then we said they



should bring them and we would negotiate with them. They brought them and said initially they wanted to charge us R11,00 each, and we said we cannot afford that, because we are unemployed. They asked us how much we could afford and we said we would pay R7,00, but we cannot take - we cannot just say R7,00 with absolute certainty because we have got to go back to the people and they have got to give us a mandate. People then agreed with this R7,00 and we went back and they came and set up these bucket system toilets and also water facilities and that's how we ended up paying R7,00.

MR NJOZELA: Thank you.

MR KILLIAN: Now you said the cause of the conflict was the children. What type of conflict were the children causing in Crossroads?

MR NGXOBANGWANA: I was saying that when a large family, an extended family stayed in one house, conflict in one house was sometimes caused by the children of different couples staying in one house. Sometimes the couples ended up arguing amongst each other, and we decided that couples and their children, more than one couple and their children should not stay in the same house, because sometimes parents did not see the wrong that their children were doing, instead they saw the wrong that other people's children were doing and that caused conflict in the same house. So we decided that each couple should go and stay on their own with their children, because sometimes it is difficult for parents to see the wrong that their children do.

SECTION 29

TRC/CAPE TOWN

25

MR J NGXOBANGWANA

MR KILLIAN: In the sense that the youth were causing conflict against the adults, but rather conflict in their

house amongst each other? Did I understand you correctly?

MR NGXOBANGWANA: Yes, I am talking about conflict in the same house amongst extended families. I am not talking about the conflict between the youth and the other people. I am talking about conflict amongst, within the extended families.

MS DWANE-ALTMAN: Going back to Yamile, concerning this whole question of them not paying rates and then using your facilities, things like water facilities. I mean here you are paying rent. Didn't you come to feel that it was a bit of an inconvenience that people were using these facilities without actually paying for services that were rendered to you?

MR NGXOBANGWANA: In trying to put it in perspective. I am saying that they stayed there for a while and we helped them, but after a while we negotiated with the authorities and they did eventually get toilet facilities and water facilities and they did pay. But we had no problem with them when they were making use of our facilities before they paid. We did not have any problem, even with them using the clinic facilities, because the clinic facilities were for everyone, the water facilities were for everyone. We could not say to them they couldn't have water, and when they got their own facilities, they went and they paid their own, for their own service structures.

MR KILLIAN: Okay, at this stage we will adjourn for tea, seeing that Madam Chair has also left us. So we will have tea. It is now 10 past 10 and so we will be back here at 25 to 11 to resume the proceedings.

SECTION 29

TRC/CAPE TOWN

COMMITTEE ADJOURNS

ON RESUMPTION:

JOHNSON NKANGELE NGXOBANGWANA: (Still under oath).

MR KILLIAN: We shall now start with the proceedings.  
(Indistinct).

MS DWANE-ALTMAN: You mentioned in your testimony that the headmen were dealing with the problems of each section. Now what would happen in a case where there was crime involved in the section, who would actually deal with that?

MR NGXOBANGWANA: There was no crime in our sections, although I can't say that who was responsible, who would be responsible, but there was no crime, but if there would be crime we would call these people and sit down with them and discuss with them.

MS DWANE-ALTMAN: You mentioned that you would call these people. Would this be you, yourself and the headmen or how did this operate?

MR NGXOBANGWANA: Let me put it this way. Firstly, we as Xhosa people, we used to sit down at home before we can forward the issue to court. If the problem was not solved, they would then call me so that I can try and solve the problem.

CHAIRPERSON: Mr Ngxobangwana, may I apologise. I had an emergency that was unavoidable.

MS DWANE-ALTMAN: Thank you. The headman would initially deal with these issues and then if they couldn't solve them they would refer them to you. Is that correct?

MR NGXOBANGWANA: Yes, that is correct.

SECTION 29

TRC/CAPE TOWN

MS DWANE-ALTMAN: Now what kind of issues are we talking about, what problems are we talking about that were referred to headmen and that were referred to you?

MR NGXOBANGWANA: Firstly, I have already mentioned that there would be conflict between people. If we can throw water in front of one's house, that may cause a problem. And if there was a problem we requested people to go to the headman to report the issue. So that it can be solved. And we do not want them to insult each other or to fight with each other. We wanted them to report to the headman and the headman would call the person who caused the problem and they would discuss the issue. So that it can be solved. And the headman would give advice to try and stop the problem happening again.

MS DWANE-ALTMAN: Okay. I believe there is a file in front of you on your left-hand side. Would you mind opening it, please. Now as you are right where you are, you have a right actually to look at those file, those documents, like any other person who is asking these questions here. There is a statement by Prince Gobinga, a typed statement.

MR NGXOBANGWANA: Yes.

MS DWANE-ALTMAN: If you can turn to page 2, paragraph 4, the fourth line, where it says -

"Certain persons were appointed as policemen by the executive. They received cards issued with a stamp of the executive stating that they were home guards or policemen. These men are responsible to Johnson."

Are you aware of this?

MR NGXOBANGWANA: You did not put it very well, ma'am.

These people with cards were not issued with a stamp. It was a man from Crossroads, the headman and myself, we were patrolling around, trying to combat crime, because there was a complaint there. When we were coming from Nyanga to Crossroads, near the police station, there were bushes around that place. There would be problems around Fridays. People coming from work would be robbed and on Fridays we used to go to that place, trying to stop people from doing this. We were patrolling around the area. All men of that area, not the police, were patrolling on Fridays, Saturdays and Sundays. On Monday we would stop because we would be going to work.

MS DWANE-ALTMAN: You mention these patrols. How many patrols were organised on a weekend?

MR NGXOBANGWANA: On Fridays we used to go out and patrol, helping the people coming late from work, from half past seven until half past 11 or 12, and then we would go back to our homes and sleep. We waited for everybody to come back from work so that we can be sure that nobody got injured, because there were people who got injured. That's why we decided to patrol that area, because there were bushes in that area. We tried to wait for the people and we took them to the township and patrolled the area. After 12 we went back to sleep. We never assaulted anyone. We never arrested anyone but we would try to help those who got injured and those who were robbed.

MS DWANE-ALTMAN: Would this be all the men in the area who would actually patrol or were you divided into sections to patrol each particular section?

MR NGXOBANGWANA: We were patrolling on this area. There was no problem in other areas in Crossroads. We were

patrolling in this way where there were bushes. If people patrolled in other sections I was not aware of that. I was only aware of people patrolling in that area, and people would be robbed now and then and this is happening even today.

MS DWANE-ALTMAN: Who was in control of these patrols? I mean, who was the person who gave orders that certain places needed to be patrolled?

MR NGXOBANGWANA: I would be there, I was reported that there are people robbing other people. I then suggested to the headmen and to the people of the community, that we must be there and try to protect these people. I was also part of that patrol. But what we wouldn't do is to assault a person. Because if we are patrolling the people would not come and rob the people who are coming from work. We were just trying to help.

MS DWANE-ALTMAN: When was this decision to patrol the area, how did it come about, I mean, who made the decision?

MR NGXOBANGWANA: The decision came about because there were people who got injured, some were stabbed and robbed of their money. We didn't think before that others would be stabbed, but we knew that there were people who were robbed. We then decided that myself and the headmen are supposed to go there during weekends, and help these people. I was the one suggesting this, because I wanted to try and help the people on Fridays, Saturdays and Sundays. On Sundays people would go to Nyanga and they would come back drunk in the township and they would come back at night. We were trying to help in such situations.

MS DWANE-ALTMAN: Now what I need to know, is you made a suggestion. Do you remember exactly when, I mean, because

you do mention an incident where people were being attacked and injured. Could you just roughly explain when that was.

MR NGXOBANGWANA: I think that we came to this decision in 1975 when people were coming to Crossroads. I think it was in 1975, in 1976. We had already started with this in 1976.

MS DWANE-ALTMAN: Now one more question. How was the issue of crime dealt with? Was it referred to the police station and also in light of what Ngobe says in his statement, can you just explain that to me.

MR NGXOBANGWANA: The way we dealt with crime, was that we were not cruel to people, we would not arrest anyone who did not do anything, except if we saw that a person has robbed or has done something in the township. Before we could refer the person to the police, we would want people who witnessed this. A person would come to us and lay a charge and then we would refer this person to the police station. But if - but we would call the people involved and if they can lay a settlement, if they cannot lay a settlement, we would send them to the police station.

MR KILLIAN: Thank you, Madam Chair. Mr Ngxobangwana, did the police have any knowledge of your patrols?

MR NGXOBANGWANA: Yes, they did. Because they would come to look at us, but they could not come to Crossroads, because it was dark. We said to them that because of this, we would try to combat crime and would try to help people who were robbed. They were aware of these patrols, although we did not arrest a person and take him to the police station, but they were aware of the situation. We informed them that we were going to patrol, because they were not going into Crossroads.

MR KILLIAN: Were you at any stage given any formal training

SECTION 29

TRC/CAPE TOWN

32

MR J NGXOBANGWANA

by the police how to implement and arrest and any sort of training by the police, how to implement it?

MR NGXOBANGWANA: No, we did not receive any formal training by the police and we did not go to them to request for such training.

MR KILLIAN: The next question. Now at that stage when you had this group, was Mr Ngobinga an executive member of the committee? When you had this patrol going?

MR NGXOBANGWANA: That this would be difficult, because I don't know where Mr Ngobinga reside in Crossroads. I would be lying if I can say that he used to attend my meetings in Crossroads, but I don't remember where his house, his house number was in Crossroads was. I don't remember whether he was in the executive, I don't remember that, except that maybe I may be making a mistake, but I don't remember him. I don't specially remember his house's number. I know there were men who were under me, and I know where they were staying. I know that Mrs Sophiga was in Section 3 and I know the different headmen's houses. It would be difficult for me to say that he was an executive member or not, I don't know.

CHAIRPERSON: Mr Ngxobangwana, when you were patrolling the area, did you ever arrest people for stealing and causing violence to other people?

MR NGXOBANGWANA: No, we never arrested anyone. I never arrested anyone. What I did was that if a person would be arrested, I would ask what he did to whom. And they would explain to me. I would say that they must call the person, the two people and try to discuss this matter and try to



solve it in front of us, but if they were still in conflict, they would go. They would then go to the police.

The

SECTION 29

TRC/CAPE TOWN

33

MR J NGXOBANGWANA

headman would then, took this person to the police or the police would come and pick up the person. But we never arrested anyone.

CHAIRPERSON: Please look at page 2, the same paragraph 4, where it starts with "persons" -

"Persons apprehended and convicted were either fined or whipped. The fines are all paid over to Johnson. Johnson became the absolute ruler of Crossroads, and elected his own executive. He also imposed his own taxes upon the people. He was an absolute dictator. He ruled with an iron fist."

Are you saying that statement by Mr Mogipa is not true?

MR NGXOBANGWANA: Ma'am, I don't think this is the truth. I would like you to go back to the people of Crossroads, because nobody paid even a cent to me. What I know about paying was that people of Crossroads took me out of work in 1975, so that I can represent them to the pass laws. They would then collect 50 cents to each and every person and pay me. I said that that would be a lot of money, because there were a lot of people in Crossroads, but they did that. I think it was about two years that they were paying me R800,00 per month, because I was not working. I was working for them, representing them. Again, I went back to them, saying that there is a certain amount of money I get, because I tried to work for myself. I told them to stop

paying me this money, because there would be conflict, because of this money. I told them that I was going to see how I can get some form of money. Nobody was taxed in Crossroads. If it was done, maybe it was done by the headmen

SECTION 29

TRC/CAPE TOWN

34

MR J NGXOBANGWANA

in their sections. Maybe a person would be fined by a - a person would be fined for offending another person. That used to happen. And the person would pay this money to me and I would give it out to that person. There were no people paying taxes to me or there were no people arrested.

CHAIRPERSON: Am I correct in saying that you were the absolute leader in Crossroads?

MR NGXOBANGWANA: Yes, I was.

CHAIRPERSON: Well, by your own admission you are saying that the headmen might have collected taxes on their own. If you were the absolute leader, what control did you have over the headmen, and in fact, what control did you have to ensure that the men you selected to patrol with you, were themselves not committing crime?

MR NGXOBANGWANA: What I do know, ma'am, is that nothing, there was nothing that happened correctly. If there was anything that happened I would have known about it. If there was a lady or a gentleman whose money had been taken by a headman, they wouldn't just hand over their money to a headman without me coming to know about it. Things like that did happen from time, where it wasn't a headman, but somebody else. For example, someone would say that they were leaving their house and sell it to another person. After some time they would come back and want their house back, and the other one would say but no, I have bought this house from you and then they would argue until the

matter was brought to me and I would ask have you sold a house to the person, and the other one would say no. And I would say look, I wouldn't know who is telling the truth and who isn't. There is a buyer and a seller. How am I supposed to intervene. This house belongs to this lady according to

SECTION 29

TRC/CAPE TOWN

35

MR J NGXOBANGWANA

this document, but how do I know that you bought the house from this person. Eventually I said to the people that if they do sell their houses and things like that, that they should document that, so that if there is any conflict thereafter, then there is a way of proving that the house had been sold. What I am trying to say was that there wouldn't have been a case where people would give their money over to the headman without it reaching my ears. It would never have happened. I knew these people. These people would say a certain person did this to me and I would have gone to the person and said come, let's sit down, a certain person is accusing you of having robbed them of their money, and if that person denied that, I would tell them look ...

CHAIRPERSON: Which headman that you know of, of a headman who collected money?

MR NGXOBANGWANA: What for? What money?

CHAIRPERSON: Fines.

MR NGXOBANGWANA: As I said I never saw anyone collecting money. Even as far as the rental was concerned, I would go to the rent office and say look, a certain person doesn't have money, that person will pay it at a later stage, but the money was never collected from them. We never did that.

Let me not say we didn't do it, let me say I never did do it. If it did happen, it happened - I didn't know about it, but I kept a watch at all times, that things like this didn't happen. It is possible that there have been someone somewhere that did something wrong, but what I always said to my people is that if they did have a problem or if anyone else had offended them at any stage, that they were to come to me first and we would try, we were to try and resolve it

SECTION 29

TRC/CAPE TOWN

36

MR J NGXOBANGWANA

through discussion. Because it happened so often where people sold their houses and came back three weeks later and denied that.

MS DWANE-ALTMAN: I follow this question on this finding. If you did mention that, that people were fined for offending another person, it happened. Could we just confirm that? You mentioned that it did happen that a person was fined for offending another person. You just mentioned that in your testimony earlier.

MR NGXOBANGWANA: What I said, was that where you offended someone and this person came and said that the matter should be discussed and it was then found that this person was prepared - this person was prepared to accept a fine, in compensation, the other person had to pay the fine. Alternatively, the person would say I want this person to come and pay the fine to you, Mr Ngxobangwana, so that you can ensure that I do get the money. But that would happen often where the parties had agreed that there would be compensation for any type of injury. I would say that to them, I am not disputing that I said that to the people. Because you would not - they would not have been able to resolve their matters like us before the police or in a

court of law. Some of our matters were lost by the police, where someone would go to the police station and lay a charge and when they went back to find out about it the matter would be, or the docket would be missing or anything like that.

MS DWANE-ALTMAN: Now you mentioned that some of these cases would disappear at the police station. So what kind of cases are you dealing with, where you were actually imposing fines?

SECTION 29

TRC/CAPE TOWN

37

MR J NGXOBANGWANA

MR NGXOBANGWANA: I would like to make myself clear. We did not, we did not prosecute anyone. What we did was to try and resolve issues through discussion. What we would do is when someone came in with a complaint, we would give them the option of going to the police or discuss this matter and according to Xhosa culture we would sit down and discuss this matter and if the parties did agree that they would accept compensation and compensation would be paid, then it would be done like that, but where there were serious matters where blood had been spilt, we would refer to a court of law, but where it was a matter that where it was a dispute between people, we would, and it could have been resolved, we would sit down and do that, sit down and discuss it. Because what, I would give them the option, as soon as they came to me with the complaint, I would give them the option that we could either sit down and do this thing according to customary law by sitting down and discussing it amongst each other, alternatively, if they did not want that, they could go to the police.

MS DWANE-ALTMAN: So you are trying to tell me that you actually dealt with cases except murder. Is that correct?

MR NGXOBANGWANA: We did not discuss matters where there had been any blood spilt or where anyone had been killed.

MS DWANE-ALTMAN: Just one more question. Where were these matters discussed?

MR NGXOBANGWANA: If there was a problem in a certain headman's area, they would - it would be discussed in the headman's house, otherwise we would go to the hall and if there was anything that I could assist in resolving, I would go and try and just sit down with them, but normally, if it was - if it fell in a certain headman's section then it

SECTION 29

TRC/CAPE TOWN

38

MR J NGXOBANGWANA

would be discussed in that headman's home.

END OF TAPE 2 - SIDE A

MS DWANE-ALTMAN: ... this whole question of jurisdiction, is that correct? (Speaker's mike not switched on).

MR NGXOBANGWANA: Yes.

MR NJOZELA: Thank you, Sir. You have just mentioned a hall where some of these matters were discussed. Could you please give us the name of that hall?

MR NGXOBANGWANA: Yes, it was Nxolo.

MR NJOZELA: So were matters discussed in this hall?

MR NGXOBANGWANA: We did not discuss charges in this hall.

We would sit and discuss matters where people would be offended and my house is very small, so I could not sit down with large groups of people in my house. I would tell them that we should go and meet in the hall, and I would sit down and say look, this is this one's case, what do you say.

MR NJOZELA: So nothing else happened in the hall, apart from discussions, not as far as you know? I might come back to this issue, but I would like to go back to the

issue of patrols. What I am interested in, Sir, is, where there were patrols, there would normally be guidelines set and the purposes of the patrols would be clearly spelt out.

Did it ever happen where X amount of men were sent out to patrol? Explain what and tell us the reason for the patrols.

MR NGXOBANGWANA: I had already said that the reason for that was because of the people that were complaining in our area. We were not patrolling the whole location, we were patrolling our area's residents only. We decided to help the people because this was a serious matter and we should go and stand and watch the people as they came from work at the terminus.

SECTION 29

TRC/CAPE TOWN

39

MR J NGXOBANGWANA

MR NJOZELA: Where you patrolled, were there no elements that ended up doing what, things that you didn't want them to do? Were there any measures which you took, I am talking from experience, please understand me. Did you ever try and ensure or take any measures to ensure that people act accordingly, so that when you patrolled, you would say look, gentlemen, this is what we are here to do, because there were those who would go off on a tangent and do as they pleased. I am just trying to ensure and to find out from you whether you had any measures to ensure that that did not happen.

MR NGXOBANGWANA: It would not be all the men in the area who patrolled, because if we were to have said that all men must patrol, these things would happen. We would say to the headmen instead that they should get a group of men and then conduct a patrol so that they could oversee their group of men effectively. We did say that we did not want too many people involved at the same time.

MR NJOZELA: Sir, so in other words, certain people patrolled?

MR NGXOBANGWANA: Yes, the headmen would conduct the patrols. So that if anything happened they were accountable.

MR NJOZELA: Only headmen patrolled, not any man, so that if they did, if anything went wrong, they would be accountable. That means that very few people patrolled.

MR NGXOBANGWANA: No, there were only 14 of us that patrolled, because that was a small place. There was no problem in the location, the problem was with us.

MR NJOZELA: I first heard you say that all men. That is why I was under that - what I was trying to establish from

SECTION 29

TRC/CAPE TOWN

40

MR J NGXOBANGWANA

you.

MR NGXOBANGWANA: No, if we were to have involved all men, it would have been too problematic.

MR NJOZELA: I asked you that - I asked you whether you people reported certain matters to the police in regard to these patrols.

MR NGXOBANGWANA: Nyanga police station was not in existence at the time, we would go to Guguletu, because what happened, three people - is that three people were injured and we said that it is because the police don't go there, and we informed the police that we would be patrolling so that if they did see us, they shouldn't be surprised. I think the station commander at the time was Wessels. I speak under correction though. I think he has since passed away. It was Mr Schoeman back then, but he says look, if you think that you can patrol here, very well, but you should not assault anyone and if anyone makes themselves guilty of any kind of offence, you should hand



them over to us, you should not just assault anyone. And fair enough, we did not ever hear of any such matter taking place, up until they built the other houses, nothing like that happened.

MR NJOZELA: So at the police station you only spoke with Wessels?

MR NGXOBANGWANA: The person I knew was this Wessels. Because everyone was concerned with their well-being.

MR NJOZELA: When you say that there were 14 of you headmen patrolling, I assume under correction of course, that there was no need for you to identify yourselves. Is that correct?

Seeing that there were only 14 of you, there was no need for you to wear any kind of identity so that people could identify you.

SECTION 29



TRC/CAPE TOWN

MR J NGXOBANGWANA

MR NGXOBANGWANA: No, we just wore our ordinary clothes and everyone knew who the other one was.

MR NJOZELA: Was there no other way in which you identified yourselves?

MR NGXOBANGWANA: No.

MR NJOZELA: What did you carry with you, since you say that your patrols started at half past seven in the evening, what would you carry with you?

MR NGXOBANGWANA: A Xhosa knobkierie.

MR NJOZELA: Nothing else?

MR NGXOBANGWANA: No.

MR KILLIAN: Would I then be right or wrong in saying that you were a vigilante group? And that you were actually sanctioned by the police to do the patrolling within the Crossroads area?

MR NGXOBANGWANA: We were never sent by police. The police did not instruct us. We decided to do that because of the situation and we found that the reason that we wanted - we decided that we have to do that because people coming from work were being robbed, and initially we tried to cut down those trees, using axes, but it didn't help much at the time, because the bush is thick, and then we decided that the only other alternative was to do those patrols. Because the people were complaining. We were trying to maintain order where we stayed because we did not want it to become infested with crime. It is not that we went to the police or anything.

MR KILLIAN: You did the police a favour in eradicating crime from the area. Was there no follow-up meeting with the police after you instituted this patrolling to tell them, listen here, we have so many robberies, so many thefts



SECTION 29

TRC/CAPE TOWN

42

MR J NGXOBANGWANA

and we have arrested X amount of people. Were there ever that type of meeting between yourself - seeing that you were the leader - and the police at that stage?

MR NGXOBANGWANA: I heard about the people being robbed. I said look, gentlemen, let us try and work out a way forward and we decided to conduct these patrols. That if there is need for us to call the police for an offence that anyone is committing or if we found someone choking the next person, we would call the police in immediately, and it would have been the duty of the police to arrest such people. We were trying to assist our community not the police, because these were our people. The police could not go in there because it was dark, there was no electricity. They would drive down Lansdowne Road, down

another street, but not come in.

MR KILLIAN: You see, I find it strange that you would act with the knowledge of the police and you don't feel it necessary to take these people to the police, because if you go back to the statement of Mr Modinga, it explicitly says one of the first changes under Johnson's leadership, was the creation of a local police station, and court in Johnson's Funeral Parlour Building. So my question is to you then, you were also then acting not only as a policeman, but also as sole magistrate and judge, within the area of Crossroads.

MR NGXOBANGWANA: What I want to make sure about, is were you referring to the Funeral Parlour Building? Could you just give me some more clarity on that?

MR KILLIAN: If you go back to your, if you go to Modinga's statement, paragraph 4, I will it to you again. Can I read it to you? It says one of the first changes under Johnson's leadership was the creation of a local police station and court in Johnson's Funeral Parlour Building. So my question

SECTION 29

TRC/CAPE TOWN

43

MR J NGXOBANGWANA

is that you were acting as a policeman and you were also acting as the sole magistrate in Crossroads.

MR NGXOBANGWANA: Yes, he is correct as far as the police station is concerned, it is still in existence up to this day. There still is a police station in Crossroads up to this day, and when houses were built, I made a call for there to be a police station, the same as in all the other areas. There is a police station, although they have closed it now, because it was a bit small and they have moved to bigger premises in Nyanga. But the police station is still there. I did mention the part about the police

station. I did create a local police station. Secondly, I am not going to go back on what I have said. I do not know Mobinga. If that is what he says in his statement, he is not here so that I can dispute what he says in his statement. All we can do is call the residents of Crossroads and ask them whether what Mobinga says is true, but the police station is still in existence up to this day. It has moved out this year to bigger premises, because it was supposed to be built much bigger. The funeral parlour's story is true. It was not my funeral undertakers. These were men who got together as far as burying the people in Crossroads was concerned, as being undertakers and funerals were concerned and they were legally licensed to be undertakers, official undertakers in Crossroads. They started the business and eventually they went under because they could not finish it. I remember a certain Mr De Wet because there were 10 men, if I am not mistaken, who had established this funeral undertakers and there was a place which we had built, and they wanted that place to operate from, and used a certain office. It was not my place. I never had ny undertakers. I had no shop, I

SECTION 29

TRC/CAPE TOWN

44

MR J NGXOBANGWANA

never even sold a pair of shoes. What I did was to take my bakkie and go to Grabouw to go and buy apples and come back and sell them. I would very much like us to go back to the residents of Crossroads and you could ask them whatever Mobinga said is true. The only person that was left was Mr Nahow who was in Site B who had a funeral undertakers. There is nothing more I want to say. I don't even know where Mr Mobinga's house is in Crossroads. Maybe one of the residents, they would be able to tell me exactly where his house was.

MR KILLIAN: So in other words what you are trying to tell us is that you never had a court proceedings, where people appeared before you and your executive? And where fines and sentences were imposed?

MR NGXOBANGWANA: I already said that when people wanted their matters discussed in a customary manner, it would be brought before me, and I would discuss the matter accordingly. But what was beyond my authority I would say, look, this is beyond my ambit of authority, you should go to the police station. For example, where someone was assaulted seriously by someone else, I could not discuss it there, I would advise them to go to the police station. If they did reach consensus they would reach consensus without me. Possibly the person would go to a doctor and the doctor would ask why don't you go to the police and the person might just have ended up saying that Modinga said that I shouldn't do that. I could not discuss the matter where any blood had been spilt or where someone had been assaulted or where someone had been murdered. What we did try and resolve were domestic issues. We did not have anything like a court of law where we sentenced people and

SECTION 29

TRC/CAPE TOWN

45

MR J NGXOBANGWANA

things like that, because in sentencing someone you have got to send them to jail.

MS DWANE-ALTMAN: You told us that you did fine people. What other punishments were meted out after people were referred to you?

MR NGXOBANGWANA: I didn't say we fined them, I said that where the parties had decided that I want this person to compensate me, the complainant decided that I want the accused or the defendant to compensate me in a certain way and the person being accused agrees to compensate the

person in that way. They would have reached consensus amongst each other and stick to those conditions.

MS DWANE-ALTMAN: But you are telling me a totally different statement. Just a few minutes ago you said that the person was fined for offending another person, it happened. You did not mention that it had to happen with the consent of both parties. Now I am a bit surprised that you are mentioning this now.

MR NGXOBANGWANA: What I have said was we would call people when they came to us with their complaints and we would call them with whatever was in question, the issue in question, and if the person offended would say that they wanted compensation of a certain kind, we would say to the offender you have heard that the person said that they want this kind of compensation, what do you have to say. And if that person agreed to pay them they would pay it. If they did not agree to pay it, there was nothing we could do. And most of the time they would pay it. But they would not pay it to me unless the person offended requested otherwise. Because I would advise people. Sometimes the compensation would take forms other than cash. And if the parties would agree

SECTION 29

TRC/CAPE TOWN

46

MR J NGXOBANGWANA

amongst each other, I would - we would advise, we would not tell people what to do. People would sometimes agree that the party that offended them could pay them off. We could not sit as a court of law and prosecute people and sentence them. What we did was to try and sit in the customary fashion, according to Xhosa culture.

MS DWANE-ALTMAN: You mentioned other forms of compensation. Could you just elaborate on that?

MR NGXOBANGWANA: They would decide amongst each other what other - what ways they could compensate each other. If the person said that they wanted monetary compensation and the party could not, they would decide amongst each other how they - how else, which other forms of compensation could be considered. Sometimes we would even advise the party that had offended the other one, to go to the extent of borrowing the money so that they could pay the amount agreed upon.

CHAIRPERSON: I get the impression from what you are saying, that New Crossroads under your leadership was an incredibly peaceful area. I mean, you had this excellent negotiating skills, people frequently agreed to pay. You were incredibly successful and you prevented violence. Am I correct?

MR NGXOBANGWANA: Madam, it was not always a success. It took time to sit down and negotiate with people. It was not something easy you could do with all the people, but it was what we tried, not myself alone, but we all tried that if we could help to put a stop to crime and to have people live in harmony, we would try and do that, because it was not pleasant for us to be living there fighting with each other. We tried to maintain peace and that's what happened most of the time, where - when people had a problem, they would take it to the headman and the headman would try to resolve the

SECTION 29

TRC/CAPE TOWN

47

MR J NGXOBANGWANA

matter. It would not be - we tried to avoid a situation where people stood in the street and fought with each other or argued with each other. We did not encourage that. Instead, we tried to encourage them at all times to sit down and discuss matters. Even where one party had

offended the other party we would encourage them to sit down and discuss the matter instead of standing in the street fighting.

CHAIRPERSON: Sorry, you will agree that during your leadership there wasn't violence?

MR NGXOBANGWANA: Yes.

MS DWANE-ALTMAN: I will now take you to 1980.

MR NGXOBANGWANA: I would not say that there was order really, but we tried real hard. I tried very hard that there should be peace at all times. I tried just to maintain peace at all times.

MS DWANE-ALTMAN: I will now take you to 1983 where the government announces the plan to build Khayelitsha for blacks. Do you remember that particular period?

MR NGXOBANGWANA: Yes, I remember that.

MS DWANE-ALTMAN: Let's go a bit further. On the 10th of April 1983, about 20 people were trapped inside Mr Memani's house, which was set alight. Do you remember that period?

MR NGXOBANGWANA: Yes, I remember that.

MS DWANE-ALTMAN: What was the reason for that, what was happening at that time?

MR NGXOBANGWANA: I would not know, I was not there at the time. The year when Memani was there, I was in Rustenberg and I just heard about that incident.

MS DWANE-ALTMAN: Then it would be incorrect to say that there was a fight between your supporters and Mr Memani's supporters. Are you aware of that?

SECTION 29

TRC/CAPE TOWN

48

MR J NGXOBANGWANA

MR NGXOBANGWANA: I would not say that that is not so, but I was not there at the time of the conflict, because when I left for Rustenberg there was no conflict. I knew that they did not see eye to eye on certain issues, but I did



not see it as a matter that would go to the extent of a full-blown conflict.

MS DWANE-ALTMAN: Could you elaborate on this not seeing eye to eye on certain issues? Could you explain to us what you are talking about?

MR NGXOBANGWANA: I do not know, ma'am, I cannot explain it to you.

MS DWANE-ALTMAN: Are you also aware that Sam Ndima and some of the people were also arrested because, and charged for murder during this period?

MR NGXOBANGWANA: Yes, I heard that.

CHAIRPERSON: Mr Killian?

MR KILLIAN: Yes, surely, Mr Ngxobangwana, you were the leader of the one group. Memani was the leader of the other group. You just stated that you knew they didn't see eye-to-eye. So then you as the leader of the Ngxobangwana grouping, had to know the reason why your people didn't see eye-to-eye with Mr Memani. Surely, it is not just logical that you can give us an explanation here this morning saying that you don't know the reason why, because there had to be a reason why there was conflict between these two groupings. Can you please explain to us what the conflict was between your people and Memani's people, that led to this attack?

MR NGXOBANGWANA: I have already told you that I do not know much about this, or the cause of the conflict. I know very little, and that is what I told, what I said to you was that Mr Memani was under my leadership. He broke away and formed SECTION 29

TRC/CAPE TOWN

49

MR J NGXOBANGWANA

his own group. And then I asked if these - I asked the men if they were satisfied with that and they said that we should just leave matters, we should not pursue the issue.

I did not see them, I did not see it as being an issue so serious that there was bad feeling between the two groups or anything like that. I then left for Rustenberg but I never saw it as a potentially volatile situation where they would come to blows.

CHAIRPERSON: Can I just follow-up. Mr Ngxobangwana, I appeal to you, it is very important for the Commission to get as much information as you possibly can remember, because we have to make a finding, we need to look at different perspectives. I find it difficult to understand, on the one hand, that you are an incredibly effective leader who with only 14 men in the community, you were able to prevent violence. You actually were able to control crime in the area. And yet, on the other hand you don't seem to know. I mean, your answer to the question about Mr Memani presents a contradiction to me; that you are knowledgeable about the community. You are able to help the community be at peace, but on the other hand you don't know anything about this conflict between you and Mr Memani, which leads to the death of people. And I - help me, Sir, I need to try and make sure that these two things make sense, so that your story is believable. It is very important for us to be able to get a good sense of what happened. Thank you.

MR NGXOBANGWANA: Let me reply.

CHAIRPERSON: In Xhosa I would just like to say that I am appealing to you to assist us, so that we can again find perspective on this and understanding. This is not a court of law, we are trying to - we cannot, we are not here to

SECTION 29

TRC/CAPE TOWN

50

MR J NGXOBANGWANA

prosecute you. We are trying to understand and bring people together to accomplish reconciliation. Can you

understand?

MR NGXOBANGWANA: Ma'am, I cannot answer you on something that I do not know anything about. But I am fully prepared to answer everything as far as my knowledge goes. I am a bit too old to stand here and tell lies. I am 64 years old and I cannot lie any more. I am old enough to reach a stage where I am prepared to speak the truth. There was no way where I could lead more than 20 000 people, be responsible for 20 000 people, fighting for the pass laws to be abolished. I would never have caused conflict among them, but there were things which could have happened behind my back, without me knowing about them, because I was leading people with different mindsets who, while I said one thing before them, the next person would have another way of thinking, and get together with two or three people and do something wrong without consulting you, and that created the impression that one doesn't care. I am absolutely certain that I never had any mindset of getting people killed or anything like that. I am talking about my house. I can't even hit children at home. We are talking about since 1975, where I was assaulted by policemen for fighting for people, for pass laws to be abolished. I have always resolved matters by negotiation, by talking to them, and it is possible that people left with their own ways of thinking and decided to resort to violence, but I never ever encouraged violence, and it is possible that there were people who supported that and followed people who thought that way.

MR KILLIAN: Mr Ngxobangwana, I know you said you weren't present the time of the attack, when Mr Memani's place was

SECTION 29

TRC/CAPE TOWN

attacked by your members. Sam Ndim, Willie Sogo, Jeffrey Nongwe, and Jackson - I don't know if I can pronounce it right, Moxoxololo. Were they all on your executive at the time of the attack on Mr Memani? Just yes or no.

MR NGXOBANGWANA: I would pronounce the name for you, although you do not pronounce it well. It is Mr Mxobololo. Mr Mxobololo. He was not a member of my executive committee, he was a member of Memani's executive committee, Mr Mxobololo. At the time when Mr Memani did not join my group, after he joined, then Mxobololo was also included in the executive of myself and Mr Memani. When Mr Memani broke up it was not even a year after that, I did not know who was left behind. I did not what he did. I asked him what are you doing. He did not want to say anything to me.

Because he was the one who brought this committee and he did not want to explain to me why he broke up, broke out. I said that this would cause conflict, let us sit down and discuss this, if they are leaving us, there must not be any conflict. I spoke to him. The men who were present were not all members of the executive. I said that they must leave him, if he wants to form his own group, they must leave him. I then went to Rustenberg. When I came back, people have died. I asked why; nobody knows what happened. I heard that Sam Ndim was arrested. I asked why was he arrested. I heard that Memani took him, he took Tawi Sam Ndim, and they assaulted him. Then that was the beginning of the conflict. I was not there, I was in Rustenberg. I spent three weeks in Rustenberg. When I came back I heard about this incident. I tried to investigate. People were arrested at the time.

I am not saying this did not happen. If it did happen but I was trying to negotiate with them.

MR KILLIAN: How many followers did Mr Memani take with him when he broke away from your group?

MR NGXOBANGWANA: If they are not four, then there are five. I am not sure, because this happened a long time ago. After that other residents joined him.

MR KILLIAN: Didn't you see this as here you were the sole leader for all these years, now here is one man breaking away with an amount of people. Didn't you and your executive see this as a possible threat to your leadership in Crossroads now, because you are for the very first time, you are being directly opposed by someone that was on your committee for some time? Didn't you see this as a threat to yourself and to the other committee members?

MR NGXOBANGWANA: To answer your question, Sir. Even if you see something happening, if you call a person and talk to the person and try to show him that this is not the right way, if he continues to do that, after talking to him, you are powerless to do anything, because you tried to negotiate with him. If I would quote from the Bible, I would say that a prodigal son left his father at home. So I tried to talk to him to try and show him and after he broke away, I did not want to talk to him, because I called him before he did this. I wanted the people to know that he broke away to form his own group, and I told the people to leave him, not to disturb him in doing that. When Mr Sam Ndima was arrested, I then said that I told you to leave this man, to leave him alone, because now you are arrested; if you had left this man alone you wouldn't have been arrested.

MR KILLIAN: The father was sad to see the prodigal son leave, because the prodigal son left with riches, if you

read this, if you take me to the Scriptures now, and this

SECTION 29

TRC/CAPE TOWN

54

MR J NGXOBANGWANA

must have caused some grief within the father's heart; to see here was a man that was on my executive, he doesn't want to listen to me, I see him as a son, and this man might cause a potential threat to me and to my other executive members. Couldn't that be the reason why this attack was launched or could this attack have been planned without your knowledge then, while you were away in Rustenberg?

MR NGXOBANGWANA: I can't say whether it was planned or not, but what I know is that I called Mr Memani and I tried to talk to him. If he had a problem with me, I told him to sit down and discuss the problem with me, not involve other people. Because it would cause conflict amongst people. He did not come to me, but I went to his house to talk to him, several times, ~~but he did not~~ want to listen. He wanted to fight with me. I then decided to leave him. I could not do anything. I was just trying to talk and negotiate with him. If he wanted to be a leader, he can be a leader, I can step down and he can be a leader. I did not gain anything from a leader, but I wanted to try and help the people. And they elected me to be their leader. They believed in me, even today the people from Crossroads believe in me. I know that they believe in me. I don't want any conflict. I left Crossroads because of conflict. I am staying in the bush now because I was running away from all the conflict in the area. I don't gain anything from conflict.

MR KILLIAN: You said he wanted to fight with you. Did he threaten you at this meeting to say, listen here, Johnson, if you don't let me have my way, I will fight, I will fight

you to obtain my independent status, because I am not happy with your leadership any more, I want to be on my own, myself and my people, and if you don't allow us this leeway

SECTION 29

TRC/CAPE TOWN

55

MR J NGXOBANGWANA

to leave, I will - you said this, your very own words, he wanted to fight with me. Did he threaten you with physical bodily harm or did he threaten you with faction fighting that he and his people will come up against you and your executive?

MR NGXOBANGWANA: No, he did not threaten me, I just got scared. But I went to him, trying to stop him. I said that if you want to be a leader, we will go to the people and talk to them and they will vote for you or I will step down without the people voting for you. Because this will cause conflict within the people. The people will fight for their leader and the people died. I said that we must try and stop such a situation. I begged him to sit down and talk with me and discuss the issue with me. He did not want to talk to me. He said he cannot talk with a coloured, he said that I was a coloured. I said let's sit down and talk this. I do have witnesses. Even if he can come, we can say that I went to him to talk to him face to face. I was not angry, I was cool, I wanted us to settle this matter peacefully.

MR KILLIAN: So did the people did fight for their leader?

To keep their leader in power? Because they saw that this was a powerful leader which must - and to protect the interests of the leader, the leader was being undermined now by Mr Memani, so the people saw that we must protect our leader, and they did fight for their leader. Would you agree on that?

MR NGXOBANGWANA: I can't say that they were fighting for me. They cannot fight for me, I can fight for myself. I did not say that is how we must go to Memani's house. If they stopped, if they stopped Memani and if they were not in

SECTION 29

TRC/CAPE TOWN

56

MR J NGXOBANGWANA

conflict with him nothing like this would have happened. Ndimu went to Memani's house and he was assaulted there. People then fought, I think that they fought for Memani. They fought for Ndimu, because I was not there. I talked with Memani. I did not even tell the committee what I said to Memani. I went to visit his house and talked with him. They were frightened for Ndimu because he was the one who went to Memani's house and got beaten up.

MR KILLIAN: Didn't you think it is a great opportunity to fight now? Ngxobangwana decides to leave Crossroads, knowing as he has just stated, there was conflict between himself and Memani. I am just trying to reconstruct. He must bear with me. Ngxobangwana also stated that he said to Memani his people will fight for him. So not to be there at the conflict, Ngxobangwana decides to go to Rustenberg to show a form of neutrality, to be neutral. In other words I wasn't at home when the conflict happened. I am begging you as a man who have quoted Scriptures, to tell us from not only, but from your heart, that you really didn't know that this attack was going to take place. Because I find it very strange that a leader who knows there is going to be conflict, leaves at a time when there seems to be, as you stated, people will fight for their leader. Can you please elaborate on that situation?

MR NGXOBANGWANA: I am not going to answer your question as you put it. I have my own way of answering the question. I



did not go to Rustenberg because I was running away from the war. I went there for my personal reasons. There was nothing showing at the time that there would be conflict.

I said to the people please leave Mr Memani alone and continue with whatever he was doing, don't try and stop him

SECTION 29

TRC/CAPE TOWN

57

MR J NGXOBANGWANA

or to stab him. After a while I then decided to go to Rustenberg for my personal reasons. I heard on my return that there was conflict. I did not hear this while I was in Rustenberg, I heard that Ndima was arrested. And I was happy that the people, there were people who were arrested because of the conflict.

MR NJOZELA: Sir, I would like to ask this issue of Rustenberg. You weren't - when did you go to Rustenberg?

You met with Mr Memani and there was conflict.

MR NGXOBANGWANA: No, there was no conflict as such, but I called Mr Memani, asking him the reason for him to want to leave. I did not want this to be known to the people, I did not want to go to the people. He said that he cannot listen to me. I said that if you want the position, let us discuss that.

MR NJOZELA: What I want to know is that when did you go to Rustenberg?

MR NGXOBANGWANA: I went after that, there was nothing, nothing was showing that there would be any war. Please repeat?

MR NJOZELA: Did you go before you met with Mr Memani or after?

MR NGXOBANGWANA: After. I went after the discussion with Mr Memani. I wanted him to be a leader while I was away. That is why I went to him.

MR NJOZELA: Was it after a week or after two days, after you had discussed with him?

MR NGXOBANGWANA: It was about a month after our discussion. MR NJOZELA: So you discussed this matter and you went to Rustenberg. Can you please tell us why, the reason why you went to Rustenberg?

SECTION 29

TRC/CAPE TOWN

58

MR J NGXOBANGWANA

MR NGXOBANGWANA: I was not feeling well and I have a relative in Rustenberg. I wanted to go to this man and I can come with this person.

MR NJOZELA: So you were not feeling well, so you wanted to be treated there?

MR NGXOBANGWANA: Yes.

MR NJOZELA: At the time you went to Rustenberg, who did you leave behind at home? Did you leave your wife?

MR NGXOBANGWANA: Yes, my wife was there.

MR NJOZELA: Was your wife aware of the reasons for you to go to Rustenberg?

MR NGXOBANGWANA: Yes, she was aware of that.

MR NJOZELA: My colleague will follow-up, I have some other questions. You came back. From whom did you hear that there was an attack at Mr Memani's home?

MR NGXOBANGWANA: When I arrived with the taxi at the station, it was late that day. I took a taxi, I took a bus to Claremont. I took a taxi from Claremont to Crossroads. When I got home there were two men near the gates.

MR NJOZELA: Two men?

MR NGXOBANGWANA: Yes, two men. It was Mr Kukhomba and Mr Jakombi. I greeted them and I went inside the house. They reported this matter to me. I asked when did this conflict start. They told me. I then asked what happened. They said that there are people who were arrested, and the

following morning the investigators came at my home, telling me that people are fighting here and Ndimba and other men were arrested. I said that that was not a problem if these are the people who caused the conflict, these people weren't at home during this conflict, but I was not there, I was at Rustenberg.

SECTION 29

TRC/CAPE TOWN

59

MR J NGXOBANGWANA

MS DWANE-ALTMAN: From your testimony we hear that your wife knew that you were in Rustenberg. Could you explain to me why she reported you missing to the South African Police? Your wife? To the South African Police.

MR NGXOBANGWANA: She might have made a mistake. I was not missing, she knew where I was. I left with my brother-in-law, my sister-in-law to Rustenberg. It was on a Friday and we arrived on Sunday in Johannesburg, Sunday morning. I was not missing. If she says that she might have made a mistake. She might be jealous, I can say that.

CHAIRPERSON: Have you just for the first time heard now that your wife reported you as missing to the South African Police? Or have you know about it before?

MR NGXOBANGWANA: It is the first time, I am hearing it for the first time.

MR KILLIAN: You see, Sir, I am going to once again come back to that question, because I find it strange that your wife knew that you were going to Rustenberg, but still she reports you missing. Wasn't she under the impression, that you were part of the grouping that was arrested? And wasn't she under the ... (intervention).

MR NGXOBANGWANA: If I was part of that group, why was I not then arrested? Because I was supposed to be arrested if I was part of the group. Why was I not being arrested?

MR KILLIAN: You see this is my question. Wasn't she under the assumption that you might be a part of this group that was then - led to the attack - can I just finish. - that led the attack on Mr Memani and that is the reason why she perhaps went to report you missing, and that she never knew that you had left for Rustenberg and that you left without telling her that you have gone to Rustenberg?

SECTION 29

TRC/CAPE TOWN

60

MR J NGXOBANGWANA

MR NGXOBANGWANA: I don't know why she reported me missing.

Because I left home to Rustenberg. I don't know what she meant by saying that I was missing, but what I know is Mr N dima was the one who was attacked by Memani's people. That is what I heard. I was not involved in that, in that attack.

I just got a report of what happened. I was not part of that. If I was part of that I would have been arrested. I was not arrested because I was not part of that.

MR NJOZELA: Sir, I trust that you have a statement of Mr Sam Ndimu in your file, Annexure A. I would like you please to look at that.

MR NGXOBANGWANA: I have a problem with my eyes, please read it out for me. Please read it out for me. I am going to believe what you are reading.

MR NJOZELA: In Mr Ndimu's statement at page 7, paragraph 8, I would like to put this on record that the statement was taken by one of our investigators and it is a signed statement. It was signed by Mr Ndimu. He said that in paragraph 8 that he is now talking about the conflict between yourself and Mr Memani.

We decided to plan for our defence.

Defending themselves?

Yes.

It was decided that we should attack Memani's group, at Zezamile. (Indistinct) which in fact reported at Guguletu police station, saying that we were looking for Ngxobangwana who had not returned from home, after spending a day in the bush, looking after his sheep. We gave the police this false

SECTION 29

TRC/CAPE TOWN

61

MR J NGXOBANGWANA

story and promised to report back on the results of our search. The attack was to take place about 22:00. Then the other group will be having a meeting at Zezamile. We agreed to assemble our men at Jacob's place. However, when I got there, the men had already left. Jacob's wife advised me to go home. I went home to sleep."

I will try to leave this matter, Sir, I am not going to continue. I would like you, Sir, to explain to us about what Mr Sam Ndimasaid.

MR NGXOBANGWANA: That's how he did this thing. I did not tell him to do this. What I heard from the people, is not what is said here. The people told me that Ndimas was arrested on Sunday morning. He called people in a meeting near Memani's house. He was taken by Mr Memani's men, that was the beginning of the conflict. Not that he was defending himself against Memani. That is not true. The statement I have got was the one I just mentioned when I got back. Ndimas took the microphone, calling people to a meeting and I don't know what would be discussed in that

meeting. He then met with Memani's men. They took him to Memani's home and they assaulted him. That was the beginning of violence. That's what I heard from the people. I don't know what he has mentioned in his statement. Maybe he has got various statements. Because I am sure that in - to the police he also gave a statement that he was attacked in Memani's home. The police might say that, because that was the beginning of violence. They took him to Memani's home and they assaulted him there. I am just saying what I heard

SECTION 29

TRC/CAPE TOWN

62

MR J NGXOBANGWANA

from the people. I did not see this. That's what I know. I also asked Ndimma himself. He said that - I asked him what happened and then he explained to me the way I have just explained. I asked why did you go there. He said that I was calling people to a meeting.

MR NJOZELA: I am not going to focus on that, but what is strange to us is that you were not there, you were in Rustenberg at the time and there is also a statement that your wife went to Guguletu Police station to report that you are missing, and there is this statement.

MR NGXOBANGWANA: Did my wife report this or was it Mr Ndimma who reported this? Did my wife make a statement that I was missing?

MR NJOZELA: I would not like to answer that.

MR NGXOBANGWANA: If she is the one who made the statement, I have a right to go and call the police, because I was not missing. I left home on Friday and I told her that I am going to Rustenberg together with my sister-in-law because I was not feeling well. I wanted to get treatment. I was not missing..

MR NJOZELA: Let us leave that issue, Sir.

MS DWANE-ALTMAN: (Speaker's mike not on) ... 83. When did this whole idea of wearing white cloths of bands occur? Where, I mean, what year was that?

MR NGXOBANGWANA: What kind of bands?

MS DWANE-ALTMAN: I am referring to white bands.

MR NGXOBANGWANA: I don't know.

MS DWANE-ALTMAN: So you are not aware of people wearing white bands to identify themselves?

MR NGXOBANGWANA: I never saw them, I don't know.

I just heard about that, I don't know why they did that.

SECTION 29

TRC/CAPE TOWN

63

MR J NGXOBANGWANA

MS DWANE-ALTMAN: Where did you hear that from?

MR NGXOBANGWANA: I have been hearing you talk about it here as well.

MS DWANE-ALTMAN: Okay, let us now go to December 1983.

CHAIRPERSON: Can I just ask you, are you saying, Sir, that you are hearing for the first time about the word "witdoeke", this is the first time for you to hear about it?

MR NGXOBANGWANA: It is not the first time I am hearing about the "witdoeke", but I don't know what the "witdoeke are" or were, and I heard that I was alleged to have been the leader of the "witdoeke", but I did not know what the "witdoeke" were, and I am basically adding here what you were saying about the "witdoeke" to what I heard back then.

I don't know what the "witdoeke" was, I don't have a hat, I don't wear anything on my head.

MS DWANE-ALTMAN: Right. In 1983, December, this violence continues and Memani is chased out of Crossroads. Are you aware of that?

MR NGXOBANGWANA: He was not chased away, he left out of his own.

MS DWANE-ALTMAN: But how ... (intervention).

MR NGXOBANGWANA: He left after the conflict.

MS DWANE-ALTMAN: But there were reports of two possible deaths during that period. If he had left voluntarily, why did people die?

MR NGXOBANGWANA: Where did they die? At the time of the conflict or when?

MS DWANE-ALTMAN: According to our records it was in 1985(?), it is mentioned, it is alleged that there was/ internal conflict and Memani and his supporters were chased out of the area. There were two possible deaths and some

SECTION 29

TRC/CAPE TOWN

64

MR J NGXOBANGWANA

houses and a school was burnt. Do you remember that time?

MR NGXOBANGWANA: I remember, because I heard about that. What I don't know about him being chased away, whether he was chased away or whether he left out of his own.

MS DWANE-ALTMAN: Could you elaborate on that last part, because I am not so sure I am hearing you clearly.

MR NGXOBANGWANA: I do not know whether he was chased away. I assumed that he left because his house was burnt. I did not know about him being chased away. I thought that, because his place was burnt he left to go and stay in Khayelitsha.

MS DWANE-ALTMAN: Sir, you do agree with me that some houses were burnt, including Memani's house. Is that correct?

MR NGXOBANGWANA: Yes, I agree.

MS DWANE-ALTMAN: We are now going into 1985, this is the time when the conflict now is starting to intensify. You do remember that in January 1985 there was a rent boycott



in New Crossroads, which was led by UDF affiliates?

MR NGXOBANGWANA: Where were they leading it? Where?

MS DWANE-ALTMAN: I am talking about a rent boycott. People were not paying rent during that period, in January 1985.

MR NGXOBANGWANA: I cannot talk for the people of other places, but nothing like that happened in Crossroads. I did not know anything about the people of Crossroads being involved in a rent boycott. I know about - all I know about, I don't know about the other areas.

MS DWANE-ALTMAN: Okay. Maybe I should be more specific. On the 20th of January 1985, a mass meeting was held, and you allegedly addressed the people at that mass meeting and it was around the rent issue. A 169 women were arrested and you as well, were arrested, Sir. Do you remember that day?

SECTION 29

TRC/CAPE TOWN



MR J NGXOBANGWANA

MR NGXOBANGWANA: Where was that meeting?

MS DWANE-ALTMAN: If I remember correctly, from my recollection, I think it was at Nyanga Station. Nyanga Stadium, sorry.

MR NGXOBANGWANA: At Nyanga Stadium? No, I don't even know where Nyanga Stadium is.

CHAIRPERSON: Were you arrested on that day, Sir?

MR NGXOBANGWANA: Pardon?

CHAIRPERSON: Were you arrested on that day?

MR NGXOBANGWANA: I don't even know about myself being arrested. I cannot remember being arrested for rent.

CHAIRPERSON: What were you arrested for?

MR NGXOBANGWANA: What I was arrested for was the pass, not being in possession of a pass, not rent. Something else that I know about myself being arrested for. I went to address people about the rent issue in New Crossroads, not at Guguletu or at Nyanga Stadium, where I said to the

people in Crossroads when they complained about the rent, that the R50,00 that they were paying was too much and they could not afford it, and they wanted to know what they could do. We were not at the stadium we were in New Crossroads, not at Old Crossroads, but New Crossroads. It seems people are putting false statements here. I was called by the people in New Crossroads and I went to them and I said to them while I was at Old Crossroads, I told them not to accept rent being raised to an amount that they could not afford. They should negotiate to amounts that they can afford. They said that they were told to pay R50,00, and I asked them did you accept it. They said yes. I said well, if you accepted it, it is okay. And in due course it became too much for them and they called me again from Old Crossroads, and I

SECTION 29

TRC/CAPE TOWN

MR J NGXOBANGWANA

66  
said if that R50,00 is too much, very well then, go to that office and tell them that it is too much for you, the R50,00 is too much for you, and if they don't agree, call me and I will go to them and negotiate with them and explain to them that the R50,00 is too much. They did that and they were told that they had agreed to it. I then went and told them that this R50,00 is too much for these people, can't you decrease it a bit. If they do not pay you are going to lose out, take, accept whatever they offer you. And they asked how much are they prepared to pay, and they said R25,00. And I said you rather accept the R25,00 than get nothing at all. I was not arrested. But what happened thereafter was that there was conflict among the people of Crossroads and they fought. The others said that I said that they should attack, and the others said no, Mr. Ngxobangwana said we should fight with the boers about our

rent and not pay the R50,00. I was arrested and later I was acquitted on the matter, because I never told them to fight. I said go and talk to the boers and tell them that they should decrease your rent, not at Nyanga Stadium. What we spoke in the streets in New Crossroads. And it was not the UDF, which had called me. I was called by the residents of New Crossroads.

MS DWANE-ALTMAN: What organisation did you belong to at that time, before your arrest?

MR NGXOBANGWANA: I was not a member of any organisation at the time, I merely supported the people's welfare at the time. I was not a supporter of any organisation. Because sometimes Mpeta will call me and say that there was a UDF meeting and I would go and listen, and at the time I was not - I was not a supporter of any organisation, but at some

SECTION 29



TRC/CAPE TOWN

MR J NGXOBANGWANA

point I was appointed as chairman of the Civic Association of the Western Cape.

MS DWANE-ALTMAN: Was this body affiliated to the United Democratic Front?

MR NGXOBANGWANA: Yes, it was affiliated. Because we all worked together.

MS DWANE-ALTMAN: Would you consider it a political organisation, seeing that you have this relationship with the United Democratic Front?

MR NGXOBANGWANA: Yes.

MR KILLIAN: So now you are part of the UDF structure. Am I correct in saying that, Mr Ngxobangwana?

MR NGXOBANGWANA: I could say so, because we co-operated in all aspects.

MR KILLIAN: While you were in prison, who acted as leader of Crossroads, while you were in prison?

MR NGXOBANGWANA: I was not incarcerated for long, so no one was appointed in an acting capacity.

MR KILLIAN: After you were released from prison, was there any conflict between yourself and the executive of the UDF?

MR NGXOBANGWANA: No.

MR KILLIAN: Did you continue your negotiations with the government for the upliftment of Crossroads and was this approved by your executive and the people?

MR NGXOBANGWANA: Which thing? I don't understand your question very well.

MR KILLIAN: Did you continue your negotiations with the government in the upliftment of Crossroads to better the lives of people in Old Crossroads, and did it ...

MR NGXOBANGWANA: Yes.

MR KILLIAN: Did this, ~~was this done~~ with the approval of

SECTION 29

TRC/CAPE TOWN

68

MR J NGXOBANGWANA

the UDF and the other organisations affiliated to the UDF?

MR NGXOBANGWANA: I cannot say it was - if there was a problem we would call the UDF, but we always used to sit down and discuss when there was a problem and things like that, and we did negotiate with the government too, for development, because with certain issues where there was a problem we would call the UDF and we would also try and resolve matters.

MR KILLIAN: But as you know, the UDF was in direct conflict with the government at that stage. Didn't they then see you as a collaborator with the present government at that stage, because the UDF was directly opposing the government's policy? Didn't they see you as a potential

threat, as going to the government and negotiating with them? Didn't they see you as a ...

MR NGXOBANGWANA: No, the UDF didn't have any problem, because it knew that I was fighting for the rights of black people. It did not have a problem. Those that did have problems were the others that were causing problems. The UDF supported me in this but there was, it did not have any problem. I wasn't doing anything covertly and they knew what I was doing and they supported me because I was fighting for the rights of the black people.

MR NJOZELA: Sir, I am going to put a few questions to you. This organisation called the Western Cape Civic Organisation, when was it launched?

MR NGXOBANGWANA: I do not know. By the time I came to hear about it, it was in existence already. But I remember when I was appointed we got together with the UDF as well.. And we went to New Crossroads and in New Crossroads there were people who joined the Civic Association, and we became SECTION 29 TRC/CAPE TOWN

69

MR J NGXOBANGWANA

interested, because there were even these questions about the toyi-toyis, and you know where those were the times when people shout Viva and so forth, and we co-operated with each other and there was no problem.

MR NJOZELA: At the time you were appointed as the chairperson of the Western Cape Civic Association, which year was that?

MR NGXOBANGWANA: I cannot remember which year it was, but it was around about 1985.

MR NJOZELA: Not in 1985, no, by 1985 it had stopped. It was before then. From '79, between 1979, 1980 and 1981.

MR NGXOBANGWANA: I still cannot remember.

MR NJOZELA: Would you agree that the Western Cape Civic Association was affiliated to the UDF?

MR NGXOBANGWANA: Yes.

MR NJOZELA: The UDF was launched in 1983. Did you know that, Sir?

MR NGXOBANGWANA: No, I did not know. I do not know in which year it was launched.

MR NJOZELA: In the time that you were arrested, you were the chairperson of the Western Cape Civic Association.

MR NGXOBANGWANA: No, I was not appointed as chairperson yet. I was not even in custody that time, because I was released on bail. The matter was on trial for about three months.

MR NJOZELA: In other words you were arrested while being a leader in Crossroads, not while you were the leader of the Western Cape Civic Association? Before you had too much to do with the UDF?

MR NGXOBANGWANA: No, I had something to do with them. I used to work with them. There were things that the UDF

SECTION 29

TRC/CAPE TOWN

70

MR J NGXOBANGWANA

would say that I would go back and tell the people.

MR NJOZELA: The last question. Was there any other organisation which you knew about which existed at the time when there was this rent problem in New Crossroads? Where you were called to address these people about the rent issue.

MR NGXOBANGWANA: I cannot remember. Look, it has been a long time since then, but I do know that I did go to Crossroads to talk about rent. There was someone of the UDF that was present there that day, because he was also arrested with me.

MR NJOZELA: Who was that?

MR NGXOBANGWANA: That was Themba Mbetha. We were in custody together.

MR NJOZELA: I just want to know, were you called by the people or were you called by the organisation?

MR NGXOBANGWANA: I was called by the residents, but Themba Mbetha and the others were there with me, because I remember them being there. It was not a secret meeting. It was a rent issue which we discussed publicly.

MR NJOZELA: There were these organisations, there was this organisation that was there, but you cannot remember the name of the organisation. Was there no organisation called Kako at the time?

MR NGXOBANGWANA: Yes, CAKO was there and Mr Sonto was there representing Kako. He was there as CAKO at the time.

MR NJOZELA: And the organisation called Uwo, do you know anything about that?

MR NGXOBANGWANA: No, this is the first time I am hearing about that. Perhaps I missed it somewhere.

MR NJOZELA: This was the United Women's Organisation.

SECTION 29

TRC/CAPE TOWN

71

MR J NGXOBANGWANA

MR NGXOBANGWANA: I used to hear about the women's organisation, but I did not know that it was called UWO at the time.

MR NJOZELA: Thank you very much.

MS DWANE-ALTMAN: When you came back, when you were granted bail and you came back into Old Crossroads, what organisations were existing at the time in Crossroads?

MR NGXOBANGWANA: There was no organisation in Crossroads. I cannot remember there having been an organisation.

MS DWANE-ALTMAN: Was there no CAKO at the time, Sir?

MR NGXOBANGWANA: Sir, as I said I knew Mr Sonto was part of CAKO, I did not know that there were people who had an organisation there, but I did not know about an organisation in Crossroads. I did not know that this organisation was launched in Crossroads. Something else that makes you aware of the existence of an organisation in the community is when they are launched. But when it is launched then you are aware that a certain organisation is now in existence.

CHAIRPERSON: Was there never an alliance between CAKO and Mr Nongwe by the time you had returned from prison?

MR NGXOBANGWANA: I don't remember, ma'am, I do not know.

MS DWANE-ALTMAN: Can I now refer you ... (intervention).

MR NGXOBANGWANA: If there was something that they did without my knowledge then it is something that is between them, but I cannot remember coming to hear that there was any kind of co-operation between him and CAKO. Because even Sonto that I am referring to, was in jail with me, we were arrested on these charges.

MS DWANE-ALTMAN: What was your attitude towards the United Democratic Front when you came back from prison? During that period before the trial. Now I am talking about July.

SECTION 29

TRC/CAPE TOWN

72

MR J NGXOBANGWANA

MR NGXOBANGWANA: I saw it as an organisation like any other organisation. I had no problem with it, I just saw it as with any, as any other organisation. I saw them trying to work for the people. I did not have any criticism. I saw it as any other organisation.

MS DWANE-ALTMAN: On the 14th of July, do you remember addressing at a gathering at Old Crossroads?

MR NGXOBANGWANA: I do not know unless you could just tell me what it was all about. There were many meetings that I



went and addressed in Crossroads and there were delegations that I negotiated with and so forth. There are so many, unless you could be more specific.

MS DWANE-ALTMAN: According to Timo Bezuidenhout's affidavit, which was made in the Cape Division case, I mean in the court, in his affidavit he mentioned that you addressed a meeting at Old Crossroads, where you officially declared that you were breaking ties with the United Democratic Front, because it was causing divisions amongst your followers. Do you remember that case?

MR NGXOBANGWANA: I remember that ma'am. That was all a lie. I went to Bezuidenhout. He was working at the Foreshore. I never said anything like that about the UDF.

If Mpetsha was here he would agree, even Themba. I never broke away from the UDF. The UDF dissolved itself because somebody did come to me and tell me that the UDF is now officially disbanded. He was telling a lie about me. Because how could I ~~disband an organisation~~? Because if the people of Crossroads wanted an organisation, I could not go and disband that organisation. If they wanted an organisation, they could launch the organisation. I went to Bezuidenhout about that issue.

SECTION 29

TRC/CAPE TOWN

73

MR J NGXOBANGWANA

MS DWANE-ALTMAN: So you did follow it up?

MR NGXOBANGWANA: Yes, I went to ask him where he got that from.

MS DWANE-ALTMAN: What year was this?

MR NGXOBANGWANA: I cannot remember which year it was, but when I heard what he had said, I went to ask him because I did not hear this from him, I heard it from Themba, who said that there are rumours that you don't want the UDF here, and I asked him where he heard that, and he said he

heard it from Bezuidenhout. Because we never said anything about organisations in the meeting. I went to him here at his office and I found him there. I first phoned his superintendent and I was told he was going to be there and I went to him, and I said Bezuidenhout, what is this you are saying about me, that I don't want the UDF, why would I not want the UDF, because if the people in the community want the UDF, there is nothing I can do, and he apologised.

MS DWANE-ALTMAN: Was this after the court case or was this before the court case?

MR NGXOBANGWANA: I think it was after the trial. If I am not mistaken it was after the trial.

MS DWANE-ALTMAN: So this was in 1986.

MR NGXOBANGWANA: I think so, I cannot remember ma'am. What would have assisted me was if I still had documents, but my documents burnt and I cannot depend on my memory entirely, I cannot remember certain facts, but it was after the court case, the trial.

MS DWANE-ALTMAN: I have been looking at it. Here is something being said about you, that you are now severing ties with the UDF in a court case, where everyone can attend this court case. Did he not make a public apology and say

SECTION 29

TRC/CAPE TOWN

74

MR J NGXOBANGWANA

that he did not mean what he meant at the court case?

MR NGXOBANGWANA: I came to ask him about it here in his office and he said that he heard this from people that stayed there in my community. And I wanted to know from him who these people were and he said he could not tell me who they were, but they were from my community. And I wanted to know, I wanted to know. He would not tell me and

I went back and tried to establish but I couldn't find out, but this did not become a problem in the community, because I went and told my community that this is not true, but because he was afraid to come and tell you himself, he cannot come and deny this publicly. There was no organisation that I did not want in Crossroads or that I tried to get rid of.

MS DWANE-ALTMAN: I also need to establish, the lawyer that you used when you were in prison, was he the lawyer that was representing the other people that were arrested, together with you?

MR NGXOBANGWANA: The attorneys were there, if I am not mistaken, there were two or three of them. One of them was representing Themba, the other one was representing me.

MS DWANE-ALTMAN: Did you at any stage change lawyers during your trial?

MR NGXOBANGWANA: No, the people of Crossroads got me an attorney. I did not ~~want an attorney~~ initially.

MS DWANE-ALTMAN: Will that be Mr Isak Swartsberg from Pretoria?

MR NGXOBANGWANA: Yes.

MS DWANE-ALTMAN: I have no further questions right now.

CHAIRPERSON: During the period 1985 and 1986, how many people were killed in New Crossroads? New Crossroads was your area, wasn't it?

SECTION 29

TRC/CAPE TOWN

75

MR J NGXOBANGWANA

MR NGXOBANGWANA: New Crossroads or Old Crossroads?

CHAIRPERSON: New Crossroads. Let me ask, which one was your area? Both?

MR NGXOBANGWANA: I used to go to New Crossroads when there was a problem, seeing that the people would call me. I would go and try and resolve their problems.

CHAIRPERSON: Which area were you primarily responsible for?

MR NGXOBANGWANA: Are you talking about New Crossroads?

CHAIRPERSON: Yes.

MR NGXOBANGWANA: I was in Crossroads, but when the people of New Crossroads needed me, I would go to them, because there was no one there besides me.

CHAIRPERSON: Okay. Then how many people between these two periods in total were killed in Crossroads?

MR NGXOBANGWANA: I do not know, ma'am, I cannot say.

CHAIRPERSON: You see, I find it difficult, Sir, that the people in Crossroads and even New Crossroads, would come to you to help them solve their problems.

MR NGXOBANGWANA: I will explain to you why they would call me. I don't want you to take exception to this. I would like to, if you do take exception, I would like you to call the people of Crossroads and ask them why. They might be able to answer you much better, because I would also ask myself why they kept calling me. It was only because I am the one that prepared that place for them and if they had a problem there was no council. The one council that they have now was not in existence then.

CHAIRPERSON: And yet you don't know how many people were killed in Crossroads.

MR NGXOBANGWANA: At New Crossroads? I do not know how many people died in New Crossroads. In New Crossroads I know

SECTION 29

TRC/CAPE TOWN

76

MR J NGXOBANGWANA

about one person that died. I know about one person who died in New Crossroads. I do not know why, but I just heard that this person was burnt, and that is Mr Tswai. That is the only person that I know about in New Crossroads.

MR NJOZELA: Sir, my question is in regard to the changing of the attorney. Who went and got you an attorney from Pretoria, this Mr Isak Swartsberg?

MR NGXOBANGWANA: I do not know. I was in custody, but I heard rumours that an attorney from Pretoria had been appointed, upon instruction by Milius Skosana. Milius Skosana advised him that there was a good attorney in Pretoria and they decided to appoint him.

MR NJOZELA: Did Mr Skosana also live in Crossroads?

MR NGXOBANGWANA: Yes. And he is now in custody.

MR NJOZELA: How did they get this attorney?

MR NGXOBANGWANA: They went to him. I think they went to him.

MR NJOZELA: Wouldn't Mr Skosana go with?

MR NGXOBANGWANA: Mr Skosana seems to have given them the address.

MR NJOZELA: Who? Who did he give the address?

MR NGXOBANGWANA: The men who wanted to appoint an attorney for me.

MR NJOZELA: Mr Sam Ndimma and them.

MR NJOZELA: I came to hear that an attorney in Pretoria had been appointed for me because Milius advised him that he was good. And then Mr Sam Ndimma and the others went to Pretoria.

MR NJOZELA: Sir, as far as you know how did they go to Pretoria? Because at the time things were a bit expensive, how did they go?

SECTION 29

TRC/CAPE TOWN

77

MR J NGXOBANGWANA

MR NGXOBANGWANA: You see, in Crossroads when there was a problem, I would give an example. At the time of the pass laws we used to be arrested quite often. And no one could pay for their own. So people would collect money, 50 cents

or whatever. For instance, where 10 people were arrested, we would collect money, and the bail of R50,00, we would collect R50,00 each from the people and pay their bail or whatever the amount was, but whatever was needed, we would collect money from the community.

MR NJOZELA: Could you tell us what the reason was for this attorney being changed?

MR NGXOBANGWANA: I do not know. That is one thing I do not know because I was not there.

MR NJOZELA: Didn't Mr Skosana and Mr Sam Ndimba and them tell you?

MR NGXOBANGWANA: What I do know is that they said they do not want an attorney from here, and when I asked them why not, why they didn't want an attorney from here, because there were attorneys, they said no, they want that attorney, because he seemed to be quite good. I was not there when they appointed the attorney. But I was quite impressed with his work. Because this one of Themba's was not good enough to defend me in that matter. But Mbetha was being charged on two matters, and he represented him on those two charges, and he was acquitted.

MR NJOZELA: I am satisfied with that question, although I am not satisfied with the reasons. Because what surprises me is I understand the argument that attorneys are good, but although there are attorneys in Cape Town, other attorneys in Cape Town, that people should go to the extent of going to Pretoria for an attorney, is difficult for me to

SECTION 29

TRC/CAPE TOWN

78

MR J NGXOBANGWANA

understand.

MR NGXOBANGWANA: Let me put it to you this way. You see if you want a wife you can get one in England, even though

you are far from England, and leave the women here. No one will say to you look, you went to get a girl from England, even though there were girls here, because you fell in love with someone there. I took it as something like that. Because I said look, gentlemen, you left all the way from here, took a plane and went to Pretoria to go and get an attorney. They said no, well, we preferred him, and it was their preference. That was not my money. I was just giving you an example. Which means that that attorney charged us quite a bit of money.

MR NJOZELA: That is a very good example, but as you say, you asked yourself what the reasons were. Which reasons did they give you?

MR NGXOBANGWANA: They said that it was their preference, that they preferred the attorney which they appointed.

And I asked once again. Look, so much money, R15 000,00, and they said yes, we preferred that attorney, you are going to be acquitted on this matter, and that was it.

MR NJOZELA: Oh, you were quite right with your example that a good girl could be seen in other countries as well, not necessarily around here.

MR NGXOBANGWANA: Yes, it was their choice, it was their preference.

CHAIRPERSON: Just before we break for lunch. I just want to jog your memory and I am just going to list some things.

On the 7th, 8th and 9th of October, at least three people are shot dead near Crossroads, including a 13-year old by the name of Micale Lewani. Do you know anything about that?

SECTION 29

TRC/CAPE TOWN

79

MR J NGXOBANGWANA

7th, 8th and 9th of October, three people are shot dead.

MR NGXOBANGWANA: Which year was that?

CHAIRPERSON: 1985.

MR NGXOBANGWANA: 1985?

CHAIRPERSON: Yes, near Crossroads, which is your area.

And ...

MR NGXOBANGWANA: Who had shot at them?

CHAIRPERSON: Including a 13-year old, by the name of Micale Lewani. Do you know anything about it, did you know anything about it?

MR NGXOBANGWANA: I just wanted to know where in Crossroads?

CHAIRPERSON: You see I am trying to follow up on your testimony, that you were the leader and people trusted you and that in fact, some people may even, might have even been prepared to die for you, their leader. I am trying to determine how with all this faith that people have in you, that first you can't remember how many people were killed in Crossroads during this period. I mean, I am not even talking about New Crossroads, I am just talking about Crossroads, which was your area.

MR NGXOBANGWANA: Madam, that is a very painful question. It is a cause of great heartache for me, that I could live there and not know how many people died in Crossroads. What I could have established, was why, if I had heard somebody, that somebody had been killed, was to try and establish why. But sometimes these things would happen in my absence. Sometimes without anyone reporting to me why the person would have died. Sometimes a person from Crossroads would have died somewhere else. That's why I wanted to know from you where.

CHAIRPERSON: Let me go forth to another issue. Can you



remember the following names? William Mishin, Mthethu Maklamese, (indistinct) Ndise, Mtsele, Lewani Nkekeli and Monzandile Sonn, who were buried in Crossroads in October of 1985. Can you remember of these?

MR NGXOBANGWANA: They are buried in Crossroads?

CHAIRPERSON: Yes, that is correct.

MR NGXOBANGWANA: In Crossroads? No, I never heard about that.

CHAIRPERSON: Let us now go to October. Four people aged five, six and eight were injured by the police in Crossroads. Do you remember any of this? Do you remember any of this?

MR NGXOBANGWANA: I do remember something about children which I saw with my own eyes. In Klipfontein Road where they were being shot by the police. Just after I had spoken to these children. They were quite a sizeable group near Withuis in Crossroads and I said listen, do not throw stones at the cars and then run back this way. This place you are running to is not very safe, because the police can chase you here and it seemed as if they heard what I had said. And no sooner had I spoken than they had shot, set a lorry alight. The third child, three children were shot, the fourth one ran into my house, having been shot in the leg. My wife can even tell you, and when they were looking for him, I said they went, I told them he went that way. And when they left I said that this child shall be taken to hospital in a car and I know about those children. The fourth child never died, because as I said to you, I told the children not to run that way because the streets are too narrow.

CHAIRPERSON: Do you remember Rebecca Nonsiso Ghaveshe, who

was injured in Tutu's camp, who was necklaced in Old Crossroads? Do you remember that name at all? Rebecca Nonsiso Ghaveshe.

MR NGXOBANGWANA: Was she Gerry Tutu's wife?

CHAIRPERSON: No, but she was in Gerry Tutu's camp.

MR NGXOBANGWANA: Now that I am hearing it, from having heard about it, I was under the impression that it was Gerry Tutu's wife. I knew that she was burnt because there was a children's creche and that person had been set alight and was lying there near the creche, and then the police came and said that it was Gerry's wife, and I assumed it was the Gerry that I knew. I had heard that it was, I only heard that it was Gerry's wife.

CHAIRPERSON: Who do you think was doing all these killings and the burning of people, in your opinion? I mean, I am not asking you about a matter of fact, I am just asking you for your opinion.

MR NGXOBANGWANA: I am not going to say, speculate who necklaced who or who did what, but what I thought was that people were unnecessarily attacking other people, knowing that some of them wouldn't be caught in doing this, but I cannot say that - I cannot point a finger to anyone specifically. Although there were rumours that it was the UDF, and I was surprised, because we stayed there with the UDF. I cannot say it was or it was not. I cannot say that it was any other person, but we always wondered who it was.

It was very difficult to find these people because something would happen, two or three people would be attacked, accused of being informers, and set alight or whatever, and you wouldn't find the perpetrators.

CHAIRPERSON: I may be preceding my team here, but didn't

SECTION 29

TRC/CAPE TOWN

83

MR J NGXOBANGWANA

you at one time run away to King William's Town?

MR NGXOBANGWANA: I did not run away to King William's Town, my home is in King William's Town, I was not taking refuge there, I was going home. I was not running away or taking refuge there. I have a home in King William's Town. I have two wives, one lives in homeland and one lives here.

CHAIRPERSON: Thank you. We are going to take a lunch break, it is one o'clock, so that you also can rest a little bit. There is lunch that is provided, you may join us and then we will back at two o'clock. Is that two o'clock? Will that give you enough time to rest? We still have a lot of questions to ask you, if you don't mind. You have been wonderful in co-operating with us, and helping us in clarifying some things and giving us some answers you know, that we didn't know. So you have been really very, very helpful, and we would appreciate it if you would continue this after lunch.

MR NGXOBANGWANA: Don't you have any sympathy for an old man?

CHAIRPERSON: Mr Ngxobangwana, you never know, perhaps we are the same age.

MR NGXOBANGWANA: You are still very beautiful.

CHAIRPERSON: You rest between one and two.

COMMITTEE ADJOURNS

ON RESUMPTION:

J NGXOBANGWANA: (Still under oath).

CHAIRPERSON: Thank you, Mr Ngxobangwana, we are going to start the afternoon session and I will bear in mind that you have a five o'clock meeting and will try and expedite this as quickly as possible, so you are not late for your five o'clock meeting. Okay? Ms Dwane-Altman?

MS DWANE-ALTMAN: Thank you. I just want to take you back to 1985 when you were in prison. I just need to ask a few questions around that. The first question is, when you were there, were there people who visited you in prison?

MR NGXOBANGWANA: Yes, there were.

MS DWANE-ALTMAN: Could you just give me a couple of names of those people that visited you, from the community and maybe other areas whilst you were in Pollsmoor Prison.

MR NGXOBANGWANA: The people who visited me, one of them was my wife. My wife. Mr Ndima. Mr Sophisa, the late Mr Sophisa. Mr Ndloyi and others which I don't remember now.

MS DWANE-ALTMAN: The others who you might not remember, could they have been from the community or could they have been from elsewhere?

MR NGXOBANGWANA: They were the people from the community.

MS DWANE-ALTMAN: Did you have any visits from let's say the investigation officer of the case?

MR NGXOBANGWANA: No, the investigator came only once.

MS DWANE-ALTMAN: Do you remember the name of this investigator?

MR NGXOBANGWANA: I don't remember clearly the name, but I can think. It was a white man staying in Parow. I don't

remember his name, but he used to visit me. The lawyer told me not to give them any more statements, as he was staying

SECTION 29

TRC/CAPE TOWN

85

MR J NGXOBANGWANA

in Pretoria, he left one of his colleagues to go and visit me, Brian, who was presenting Themba Mbetha, was the one who used to visit us, was with Themba Mbetha.

MS DWANE-ALTMAN: Was that the only policeman who actually visited you, whilst you were incarcerated?

MR NGXOBANGWANA: Yes, he only visited once.

MS DWANE-ALTMAN: So there weren't any other officials from the police who actually came to visit you whilst you were in prison?

MR NGXOBANGWANA: No, I don't remember.

MS DWANE-ALTMAN: Was it just members of the community or can you remember any other people maybe, for example, people from the local council, say for example, Bezuidenhout or maybe Shelhause, did they ever come and see you at the prison?

MR NGXOBANGWANA: No, they never visited me.

MS DWANE-ALTMAN: Which section of the prison were you held in?

MR NGXOBANGWANA: I was in Pollsmoor.

MS DWANE-ALTMAN: Was this on the awaiting-trial side of the prisoners or were you held in a single cell? I just need to understand what the environment was like at the time.

MR NGXOBANGWANA: I was in one cell together with Themba Mbetha, because he was a diabetic, he needed to be, to have someone with him.

MS DWANE-ALTMAN: What I also need to establish is what were you being held for? I mean, what are the charges made

against you?

MR NGXOBANGWANA: They arrested me because they said I said people must fight in New Crossroads. I was inciting violence.

SECTION 29

TRC/CAPE TOWN

86

MR J NGXOBANGWANA

MS DWANE-ALTMAN: Was this referring to any particular incident?

MR NGXOBANGWANA: No, there was no particular incident, but people just fought with each other and they said I was the one who instigated the violence, but some of them said that I was not the one.

MS DWANE-ALTMAN: Now let us look at the situation where you actually are released on bail. Where did you go to after you were released on bail?

MR NGXOBANGWANA: After I was released on bail, I was warned not to interfere with the witnesses and I decided to go to Ciskei, because I would meet with these people and greet them and they would say that I was trying to interfere. I then went to King William's Town.

MS DWANE-ALTMAN: Were those the only reasons why you went back to King William's Town?

MR NGXOBANGWANA: Yes.

MS DWANE-ALTMAN: If you can just go into Phillipa du Toit's statement, I think it is in Afrikaans. On page 5, paragraph 8. I am going to ask the translators to translate or do you understand Afrikaans? Here it says in Afrikaans, I think it is about more or less towards the bottom of the page, in the middle of the page it says:

"He continued by saying that these organisations were trying to sow division, amongst his followers, while he was in custody, and also thereafter,

while he was in Ciskei, awaiting trial."

So what is said here is that the UDF tried to divide your followers while you were in detention thereafter, in Ciskei, awaiting trial. And then if you go on to page 9, paragraph

SECTION 29

TRC/CAPE TOWN

87

MR J NGXOBANGWANA

9:

"He currently finds himself in the Ciskei, since he apparently feared for his life."

Now of those paragraphs that is of most significance in this questioning, is the one on page 6, the last one that I have just quoted. That you actually went there because you feared for your life. Was that the case?

MR NGXOBANGWANA: No. That was not the case, ma'am. What happened is there ~~was a law, ma'~~ court law that I was supposed to be involved or to talk to the witnesses in this case. I then said that I am not going to know every, each and every witness. I then decided to go to Ciskei to wait for the trial in my home. I was given that permission. I went to Ciskei. I was then given a letter to go and report to the police, until I came back. I then went home. I would go to the police and report to the police. I did not go there because I was scared for my life. The people might go to the police and say that I tried to intervene. That's why I decided to go, not that I was fearing for my life.

MS DWANE-ALTMAN: When did you decide to go to the Ciskei, do you remember?

MR NGXOBANGWANA: When I was released on bail and given an order not to interfere with the witnesses. I then decided to go to the Ciskei. I requested this in the court of law.

They then said that they will write a letter for me to go and report twice a week to the police in King William's Town.

MS DWANE-ALTMAN: Would I be correct in saying that then you stayed there as from April onwards until you came back in June?

SECTION 29

TRC/CAPE TOWN

88

MR J NGXOBANGWANA

MR NGXOBANGWANA: Yes, because - yes, I came back in June. Because I was awaiting for trial for three months, if I am not mistaken.

MR KILLIAN: Mr Ngxobangwana, just to, I want to move off that point, just to come back to Mr Kobinga. This morning we heard that questions were put to you involving around Mr Kobinga's statement. Did you ever meet him during the seventies and the eighties, or when was the first time that you met Prince Kobinga?

MR NGXOBANGWANA: ~~Mr Chairperson,~~ I am not sure about the time, but I first saw him in the 1980s. That's when I first saw him.

MR KILLIAN: So he - sorry. So he was never around in the seventies when you started off with Crossroads?

MR NGXOBANGWANA: I did not see him at that time. I don't think whether there is anyone in Crossroads who knew him also or saw him. I first started seeing him in the 1980s.

MR KILLIAN: So you saw his statement this morning. So the statement which was put to you and that what he said that he was an executive member of your committee, and that he also participated in other negotiations, is then a lie from Mr Kobinga's part?

MR NGXOBANGWANA: Chairperson, I am not going to talk about Kobinga, because I don't know him from Crossroads. I saw him with his girlfriend, so I can't say that I know him. I



don't know his house, and I don't understand how he can take sides in Crossroads, whilst he was not staying there. I never saw him in meetings. There are men I would call or I would arrange for you to meet him, who were members of my executive committee, some members passed away but some are still around. Maybe they can tell you that he was a member

SECTION 29 TRC/CAPE TOWN

89

MR J NGXOBANGWANA

of the executive, but I don't know anything about that. I first saw him in the 1980s. I can't say that he did not know me, because there were many people who knew Mr Kobinga. Most people knew me but I did not know them.

MR KILLIAN: Thank you.

CHAIRPERSON: Mr Ngxobangwana, I am having a difficult time here, because Mr Kobinga is very detailed in the way you operated. He says in his statement on page 2:

"I lost my position as an executive member when the argument between the leaders broke out. One of the first changes under Johnson's leadership ..."

You are Johnson, isn't it -

"... under Johnson's leadership was the creation of a local police station, and court in Johnson's ..."

You admitted the creation of a local police station?

MR NGXOBANGWANA: Yes.

CHAIRPERSON: You also admitted to the following statement that certain persons were appointed as policemen by the executive. You admitted that was true?

MR NGXOBANGWANA: Yes. No, I did not say that they were appointed as police but they were appointed to patrol.

CHAIRPERSON: He knows these details and he claims to have been part of your executive. I mean, how could you not know

him?

MR NGXOBANGWANA: Ma'am, I am not going to dispute that and I am not going to say that he is lying, but what I can say is that I never saw him in my executive committee. He might be - he might have a knowledge of what was happening in Crossroads, but what I know is that he was never a member of

SECTION 29

TRC/CAPE TOWN

90

MR J NGXOBANGWANA

executive committee in Crossroads, because he had no house in Crossroads. I knew Kobinga when I saw him in his girlfriend's house and ... (intervention).

CHAIRPERSON: But if you don't know very much about him, how do you know he didn't have a house in Crossroads, New Crossroads? How do you know he did not have a house?

MR NGXOBANGWANA: That is an important question. A person who is working with me, I am supposed to know this person. I know the man from Crossroads. I used to see people around Crossroads, I never saw him in Crossroads frequently. I would see him once a month or after three months. People of Crossroads used to come to the general meetings and I never saw Kobinga in these meetings and he was never a member of my executive committee. He was never a member of my executive committee. He might be able to know what was happening, but he was never a member of my executive committee. There are people who can say this, who can say that he was never an executive, who appointed him or who elected him. Because the executive committee was elected by the community. Who elected him?

MS DWANE-ALTMAN: You mention that you saw him at his girlfriend's house. Would this be in the eighties or in the seventies? I just need that clarified.

MR NGXOBANGWANA: I don't remember, but I first saw him there in his girlfriend's home. He was next to my house. I did not know him, I just heard people saying that he was Kobinga.

MR NJOZELA: Just a follow-up on this. Can you still recall what was the name or what is the name of Mr Kobinga's girlfriend?

MR NGXOBANGWANA: Yes, I do remember the name.

SECTION 29

TRC/CAPE TOWN

91

MR J NGXOBANGWANA

MR NJOZELA: What was the name?

MR NGXOBANGWANA: It was Frances Xhaso.

MR NJOZELA: Thank you. I would like to know from you, during the time of your arrest, can you still recall who was the arresting officer?

MR NGXOBANGWANA: If I am not mistaken, I think it was Mr Motowane staying in Guguletu, but I am not sure. I am not sure whether it was ~~Mr Motowane~~ or a white man. But I know Mr Motowane, he was an investigator. He was staying in Khayelitsha, staying in Guguletu. He used to visit Khayelitsha and would be present in the court case. I don't know whether he was Jerry or ...

MR NJOZELA: But he was there when you got arrested, Mr Motowane?

MR NGXOBANGWANA: I am not sure because this happened a long time ago, but he would be there in court proceedings.

The reason why I remember him in the court proceedings, he had a problem because he would talk to the witnesses. One of them told my attorney and he got a warning from the court. That's how I knew him.

MR NJOZELA: At the time you were arrested, at the time you were detained in Pollsmoor, were you ever assaulted?

MR NGXOBANGWANA: No. But what was bad is that I had a stomach problem in prison and I could not - they did not give me proper medicine and I spoke to my wife and in order for her to get permission to give me medicine in Pollsmoor. My doctor from Mowbray used to visit me and give me medicine.

MR NJOZELA: In other words, your wife would give you medicine, not your doctor?

MR NGXOBANGWANA: My doctor used to go and visit me in

SECTION 29

TRC/CAPE TOWN

92

MR J NGXOBANGWANA

Pollsmoor, Dr Engelbrecht.

MR NJOZELA: My last question, Sir. At the time you were in Pollsmoor Prison and at that time when in King William's Town in the Ciskei, who did you leave in Crossroads, who was the leader at that time? Who was in charge?

MR NGXOBANGWANA: I did not leave anyone there, because when I got arrested, I knew that this man who used to visit me, he knew the situation and if they see a need to appoint a person they would do that. I just told them that they would see what to do, I did not elect anyone.

MR NJOZELA: Except for you electing any person, was there any person taking over or was there any person in charge; if you know that person, what was his name?

MR NGXOBANGWANA: I don't remember any person who was in charge. I don't remember. I am not saying there was no one, but I am saying I don't remember.

MR NJOZELA: Thank you.

CHAIRPERSON: Can you remember in December of 1985, that violence broke out in New Crossroads? December 1985.

MR NGXOBANGWANA: In New Crossroads?

CHAIRPERSON: Where the residents were attacked by young people, by youth. And people got killed and property

destroyed.

MR NGXOBANGWANA: At New Cross?

CHAIRPERSON: Yes.

MR NGXOBANGWANA: In New Cross? I don't remember if something like that happened in New Crossroads. I cannot say it did not. I can't remember.

CHAIRPERSON: And some of the people were killed, Xhasa, Sekilelo Sekolo, Mr Manti Xhabise, et cetera, et cetera.

Do you remember those names?

SECTION 29

TRC/CAPE TOWN

93

MR J NGXOBANGWANA

MR NGXOBANGWANA: No, I don't remember.

CHAIRPERSON: Okay. Let's jump on to March, the following year. Do you remember being asked by people who were running away from New Crossroads, who were now living in Crossroads, do you remember being approached by them to ask you for protection and transportation to collect their belongings in New Crossroads? These were people that had run away from New Crossroads, who were now living in Crossroads. They came to you and asked you for help for protection and also to help them with transportation to collect their belongings in New Crossroads.

MR NGXOBANGWANA: I do remember that day. These people were from the Old Crossroads to the New Crossroads, but after a while there was conflict amongst themselves. I don't know what the conflict was about. I saw them arriving in Old Crossroads. They had no property with them and they had no place to stay. I then went to the hall to listen to these people. They told me that they were being assaulted at New Crossroads. I asked who assaulted them. They said that the youth assaulted them. I asked them where did the youth come from. They said they did not know. I said why were you assaulted. They said there is conflict in

New Crossroads. I asked for a reason but they could not explain to me. They just said that they wanted to come back and stay there. I asked them where is your property. They said we left our property behind and some other people's property were burnt down. So this would be difficult. But we tried and organised a place for them to stay. But for now I told them to stay in the hall and we will try to find - we will try to organise something for them, transport to go and take their property. I managed to get a lorry, but before I sent the

SECTION 29

TRC/CAPE TOWN

94

MR J NGXOBANGWANA

lorry there, I told them I don't know why they were assaulted and I told them to go and fetch their children there. Some of them came back, being assaulted. I remember that there were two people that got shot while trying to take their property. I told them not to go back there, because I thought that they would just take their property and come back. I said to these women it is up to you, whether you want to go to the police or not. They did go to the police, but I don't know what was said in the police station. I advised them not to go to New Crossroads. I told them to stay in that place, because they are going to be assaulted ... (intervention).

CHAIRPERSON: Let me ask you, do you remember sending older men instead of younger men. Sending older men with trucks to collect the property, to help the people who came to you?

MR NGXOBANGWANA: No, that is not true. Let me explain to you clearly. I am not running away from this. I never sent older men. I said that ten people must go and help each other and take the property. But there are others who went to Nyanga East to go there, but then Mr Mpule came to me

and tell me that there are people who went there. I then told them to come back if there are already people already there. I told them not to go and come back. When they came back they said that there were people shot there, and that it was in the police's hands. I did not send any older people. How can I do that? I just sent ten men to go there and to collect their property and get their blankets to sleep. Because we had no money to buy them food and blankets. We had to collect money from people.

CHAIRPERSON: What happened to the men you sent there to collect the property, what happened to them?

SECTION 29

TRC/CAPE TOWN

95

MR J NGXOBANGWANA

MR NGXOBANGWANA: They came back. The truck came back. They said they were being shot at. I came to hear about them being shot the following morning when they said that they were being shot at. The truck came back empty and they didn't take the clothes.

MS DWANE-ALTMAN: This just a follow-up. I don't know if - apparently there was a newspaper article on this event. According to the **Cape Times** -

"There was a hostage and Skosane Madini who was captured by the Comrades in this area, in New Crossroads on that night. He states that during that time after work on Thursday, Mr Sam Ndima went around with a loudspeaker and called on all the men my age and younger, to bring their weapons and go to Mr Nongwana's office. He said that anybody who didn't go would be killed or burnt in their shanties. Some of the men had guns."

Now this is an article which comes out of the **Cape Times** on the 22nd, the 26th of March 1986. He goes on further and he says:

"The men were told to wear white cloths on their heads and legs so we could know each other. Bongwana then told the men that they were to go to New Crossroads, to fetch the belongings of former residents recently kicked out of the area by activists from the progressive organisations. Bongwana drove besides the men along Lansdowne Road until they

SECTION 29

TRC/CAPE TOWN

96

MR J NGXOBANGWANA

came to the entrance of New Crossroads. There they were met by two police vehicles which escorted the Witdoeke into the area, and Bongwana stayed behind."

Do you remember this article?

MR NGXOBANGWANA: No, I don't remember it. I don't remember, I don't read the newspaper. But that did not happen. I know about going to fetch the clothes, but about Mr Xobo came to tell me that people that weren't sent there, went and quite honestly I did not send them there. When I saw that these people did not have their belongings, I asked them to go out and get their things. I did not suspect that they would be assaulted, because there were women who were in their houses. I did not suspect that they were going to be assaulted. I thought it was something at the time only. They came back, saying that they were being shot at, and I said well, if you are being shot at,



leave it in the hands of the police. All I want you people to do was to do these people a favour and go and fetch their things.

CHAIRPERSON: Sir, I just need to follow-up on that. Isn't that really very naive for someone who is in the middle of a struggle, who has been asked by people who were chased from a community, to think that you can send others to that community which is full of violence and not expect any violence to erupt at all? I mean, isn't that rather naive for somebody who was deep into helping people, who was in the middle of violence, I mean, to assume that when you send people to go and get the property, that nothing would happen? Isn't that really rather naive? I find that very difficult to understand.

SECTION 29

TRC/CAPE TOWN

MR J NGXOBANGWANA

MR NGXOBANGWANA: Ma'am, if it was a mistake I would admit that it was a mistake on my part, but people were asked to go and fetch their belongings, and amongst these things were wardrobes and things. They did not tell me that anyone had died there. They were thrown with stones and they ran away, and I thought well, if we went to fetch their clothes it would be better. And I asked the gentlemen to load their wardrobes and things, their furniture. I did not think that they would be assaulted. It was probably a mistake on my part that I did not foresee that.

MS DWANE-ALTMAN: Mr Ngxobangwana, when did you leave to go to the Ciskei, again?

MR NGXOBANGWANA: 1986.

MS DWANE-ALTMAN: Which year?

MR NGXOBANGWANA: I cannot remember exactly when I went and how many times I went, but I would go once, twice or thrice a month, because I was busy building. I wouldn't just go

whenever, I went whenever I had a chance. If I had some extra money I would go and buy building materials and take them down and leave the people there while they were busy building.

MS DWANE-ALTMAN: After this incident, didn't you go to the Ciskei?

MR NGXOBANGWANA: I did say that I cannot remember exactly when I went to the Ciskei. I would go to Ciskei because I was busy building there. But I cannot remember the exact dates and why I went down.

MS DWANE-ALTMAN: Do you recall that you actually went there in March 1986, after this incident? Do you remember that?

MR NGXOBANGWANA: I cannot say I did not go and I cannot say I did go. I don't deny it and I don't confirm it.

Because

SECTION 29



TRC/CAPE TOWN

MR J NGXOBANGWANA

I don't have any documents before me.

CHAIRPERSON: Can I just put it to you that you in fact left for the Ciskei because some of the people you sent to New Crossroads to get property, were killed, and your community was very dissatisfied with you and they were very angry about that incident. They asked you to a mass meeting but you did not go to the mass meeting and then you left Crossroads immediately after. That in fact you left because your community was very angry with you.

MR NGXOBANGWANA: Ma'am, I am not going to dispute that, I am going to say that there are people whose houses were burnt. Who can corroborate what I am saying. I don't know anything about a meeting where I was called to. I never attended, I was never called to a meeting and never attended. The people that died there weren't the ones that

I sent. The ones that I sent in the lorry are the ones that came back. Those are the ones I said left first and those are the ones that I said, I complained and said that I sent ten people only. I don't know the people that went there. I only knew one there. And I wanted to know what that person had gone to do there because he is quite old, because he wasn't even a resident in Crossroads, he was working at - he was living in Nyanga. He left there and went there out of his own, on his own. I only sent ten people there, per lorry to go and fetch these people's clothes. The person that made the statement made it wrong.

CHAIRPERSON: You see, what makes it difficult, is that each time there is violence, you are not in town, and in this particular case, there was violence in March, and you went to the Ciskei. I mean this is unbelievable, that there is violence, your people are involved in heavy violence, and

SECTION 29



TRC/CAPE TOWN

99

MR J NGXOBANGWANA

then you go home to the Ciskei to go and build. Does not that just sound very strange to you?

MR NGXOBANGWANA: Ma'am, I am not going to say to you that it doesn't sound right or whatever. I never challenged anyone or encouraged anyone to fight. I have always spoken to the people and said that there should be peace. But when I leave and go to the Ciskei and people do things, these are grown men, I mean, they can use their own minds. I never ever carried a stick and assaulted anyone. How on earth could I incite violence among the same people that I represented since 1975 and made peace in the community. I was always stopping people. And then they remained behind doing wrong. They weren't doing what I told them to do any more, and that couldn't possibly have been my problem.

Especially the people that don't listen. For example, even today, they don't do - up to this day people are still shooting at each other. They don't do what democracy is all about. Look at the taxi drivers who are still shooting each other. We are still trying for peace amongst the taxi drivers. That is something for the community, ma'am. When you are a leader you have got a problem. Because no leader sends people to go out and kill each other, no leader sends people to go and break into houses. No leader sends these people to go and steal things. You will always find people who will just go out and do their own thing.

MR KILLIAN: Mr Ngxobangwana, your leadership was under threat, wasn't it by people that didn't want to follow your line of leadership. So your leadership came under direct threat by - it was put under direct threat by these people. Am I correct in saying that? People don't want to adhere to the rules that you were putting.

SECTION 29



TRC/CAPE TOWN

100

MR J NGXOBANGWANA

MR NGXOBANGWANA: No, that is not so. I can take you to Crossroads right now and you can call them and say here is Ngxobangwana. The people in Crossroads still want their back. Ever since I left Crossroads, nothing has been done about their houses. They want me back. I worked for everyone, there is no one that does not want me back. Even where I am now, I am trying to uplift the, improve the people's standard of living. There is no one that didn't want me there. Why do they want me back if they didn't want me then? Because I always said to them and I still maintain up to this day, if I have offended any people in any way or if I have done anything wrong, then you people must vote me out of the chair. If you find that I am no longer doing what it is that you want me to do, then you

should vote me out of this chair. I repeat it all the time and they always say to me, Mr Ngxobangwana, sit, because we don't see anyone else. And there is no one else that will do the work that I do. I bet you. Crossroads people have a clinic today. They have a high school, a secondary school, because of me. There are four schools in Crossroads and I am responsible for them being there. They have their creches and their clinics. I told them write down everything that you want from these boers. I work for them all the time, I am not building up my house, I work for them. Those people that didn't want me, yes, it is like anybody else, it is possible that there are those that didn't want me, but there are those that want me there. I cannot criticise anyone that doesn't want me, but what I can do is criticise them for criticising - whoever doesn't want me should - while there are people that don't want me there, there are those that do want me there. Not one person being against you while the majority are for you. SECTION 29 TRC/CAPE TOWN

101

MR J NGXOBANGWANA

It is something like that. I still have the favour of the majority of the people in Crossroads. In Old Crossroads I built houses. I left them with tarred roads and electricity. They were fighting amongst each other and I left them there, and I said you see now. They burnt 44 houses. Why were they burning these houses? And I said you are going to turn around and say this is Ngxobangwana, I am leaving now. And I left and I went to go and stay in the bush, and some of them followed me, because it is very difficult to lead people. It is easier to lead an animal or a pig than to lead a person.

CHAIRPERSON: Sir, I realise that we have touched a passionate note. We are also aware that you wouldn't like to make sure that you don't miss your five o'clock meeting.

So if you could be as brief as you can in your answers. Sometimes a yes or a no would be adequate. I want to make sure you are not late for your meeting. So let's be as brief as we possibly can. Do you have a follow-up?

MR KILLIAN: Yes, thank you, Madam Chair. You see, Mr Ngxobangwana, at the time there was threat from the youth towards the elders. It is very well-known, it is very well-documented and something had to be done to stop this necklacing, to stop the councillors being killed, to stop the anarchy. So you as a leader, of, as you put it this morning, 20 000 people, what was your decision, what were you going to do to stop the advance of the youth totally taking over and control of Crossroads, that is Old Crossroads and New Crossroads, the youth taking over these areas, what was your - what were you going to do as a leader to protect your people? Because you have got the people's concern at your heart. So what were you going to do to stop

SECTION 29

TRC/CAPE TOWN

102

MR J NGXOBANGWANA

this?

MR NGXOBANGWANA: When you are a leader you do not do things autocratically. If they were necklacing each other it is not something that needed Ngxobangwana. I could only say do not do this. But when they decided to burn each other and things like that, Ngxobangwana is not responsible, the law should take its course. It was not for me to sort it out, it was the law to take its course.

MR KILLIAN: Did the law intervene to stop this anarchy or did the law just let it continue?

MR NGXOBANGWANA: I do not know but there were reports to them that look, they are burning - as I mentioned earlier, the police used to patrol. They were supposed to stop them

in whichever way they saw fit. They were supposed to patrol and be at these areas so that they are the ones that maintained order.

MS DWANE-ALTMAN: We shall leave the March issue, Mr Ngxobangwana, but I just want to find out from you how long you stayed at the Ciskei, because I do believe that there was a meeting on the 9th of June 1986, where Mr Schelhouse and others came to meet you to convince you to come back into the area. Do you remember that time?

MR NGXOBANGWANA: Who was in the meeting?

MS DWANE-ALTMAN: I think Mr Schelhouse and Sam Ndimba flew from Cape Town to King William's Town to come and meet with you. Do you remember that day, on the 9th of June 1986.

MR NGXOBANGWANA: I do not agree that they went to ask me to come back, but I know that they came to tell me that there was fighting and I asked them who was fighting. They said the people were fighting and that I should come back and talk to the people. I said well, I was not going to come

SECTION 29

TRC/CAPE TOWN

103

MR J NGXOBANGWANA

immediately because I was still busy, but I would come at a later stage and I came the following week. When I came that week, Bishop Tutu called me, Bishop Matolengwe, Rev Boesak and Naidoo, and we sat and spoke and they said they were talking about peace. And I said to them you told me to bring eight men, here they are. They said we know you were not there Mr Ngxobangwana, but we want us to talk about peace. I said here are the men that you asked me to bring. Even these men say they do not know who was fighting. At the end of the meeting we were told, they were told to leave, because they could not talk to people that did not know anything. I arrived long thereafter. I heard from

Shelhouse and then a month after I had left for home, I had been at home for about a month, when I heard about this.

MS DWANE-ALTMAN: Remind me, who was present at that meeting on the 9th of June 1986, when they went to meet with you in King William's Town? Or was it King William's Town or was it East London?

MR NGXOBANGWANA: The people that I know to have been present there were Schelhouse, Graham Lawrence and Philip du Toit was also present, and Mr Zimilikase, Ndima and Mr Ndloyi. Those are the ones that I remember. Mr Msoi has since passed away.

MS DWANE-ALTMAN: Now I am mainly interested in the three white men that you mentioned that went to visit you. Of what relevance was this meeting to Mr Schelhouse, Mr Graham Lawrence, who I believe was from the Board Administration. Why were they so interested in meeting with you? I mean of what relevance was your coming back into the area?

MR NGXOBANGWANA: Ma'am, I might have been able to answer you if I was the one that summoned them. But I just saw them

SECTION 29

TRC/CAPE TOWN

104

MR J NGXOBANGWANA

arriving, I do not know why. Shawi, Mzoi and four men came, I do not know when they got there or how, but they arrived, they all arrived together. I was not there, I was in King William's Town. They just came with the news that you should please come back, there are problems. I wanted to know what is going on and they said that there is fighting, you should come and talk to these people. I don't think they understood me nicely when I wanted to know what they wanted from me.

MS DWANE-ALTMAN: Okay, let us just look at these three individuals. How well did you know Mr Schelhouse?



MR NGXOBANGWANA: As I said in the beginning, whenever we had meetings about the Crossroads matter, Schelhause was present at these meetings. And then he became the superintendent in Nyanga and he was in charge of Crossroads and New Crossroads and Nyanga, and that is how we came to know each other.

MS DWANE-ALTMAN: What about Mr Graham Lawrence?

MR NGXOBANGWANA: Graham Lawrence was working there with him at Administration.

MS DWANE-ALTMAN: And Mr Philip du Toit?

MR NGXOBANGWANA: Philip du Toit, I don't know what investigative work he was doing, but he was an investigator or security of some sort who was there in Nyanga, who worked in the Nyanga/Langa/Guguletu area. That is how I know him.

MS DWANE-ALTMAN: Did you know him very well?

MR NGXOBANGWANA: No, I did not know him well, I only came to know him at that stage, I did not know him before then.

MS DWANE-ALTMAN: Do you mean to tell me you only came to know him at what stage? Was this the 9th of June 1986, would you just elaborate a bit on that?

SECTION 29

TRC/CAPE TOWN

105

MR J NGXOBANGWANA

MR NGXOBANGWANA: I said I came to know him when he was working with us in Crossroads. We came to know each other when he came there and I was there, and that is how we came to know each other. I was working with Schelhause, since he was superintendent, and Lawrence was also working there.

MS DWANE-ALTMAN: Would you describe your relationship with Philipus du Toit, I mean, people who actually knew each other very well?

MR NGXOBANGWANA: We knew each other because we would see each other and sometimes he would go past my house and pop

in and say hello, and ask how we were doing, but it is not that we knew each other very well. We knew each other generally. The same as with Graham Lawrence. We would also, if he was passing he might just stop and say hello and how are you doing, because sometimes even when I came to Schelhouse and he was sitting with Philip and them, I would stop and say hello and then proceed.

MS DWANE-ALTMAN: If you refer to his affidavit here on page 2, paragraph 3, it says in Afrikaans:

"In the course of my dealings in Crossroads, I came to know Johnson Ngxobangwana, the chairman of the executive committee of Old Crossroads. I liaised with him regularly."

I liaised with him regularly, I will emphasise on that -

"Ngxobangwana and I knew each other very well."

MR NGXOBANGWANA: I ~~do not deny that~~, I am not saying that I am denying that. We knew each other because he worked amongst us. He would pass my house from time to time and greet or sit for a few minutes and chat and then leave. He

SECTION 29

TRC/CAPE TOWN

106

MR J NGXOBANGWANA

was an investigator of some sort. And he would work in the black townships. That is how I knew him. He is right in saying we knew each other and we got along well.

MS DWANE-ALTMAN: So you would say that you knew each other very well, because seemingly from the information that he has of you, you seem to be quite close. He even visits you on the 9th of June 1986 to ask, to tell you about the violence in the area, together with Schelhouse and Lawrence. You actually knew these three men very well, didn't you?

MR NGXOBANGWANA: I agree.

MS DWANE-ALTMAN: Thank you.

CHAIRPERSON: Sir, have you ever been tortured, even when you were at Pollsmoor, you were not physically abused? You have never been tortured, have you?

MR NGXOBANGWANA: In Pollsmoor? Are you referring to Pollsmoor?

CHAIRPERSON: Yes.

MR NGXOBANGWANA: No, I was never tortured.

CHAIRPERSON: And you have never been rough-handled by the police?

MR NGXOBANGWANA: The police arrested me at a time when we were fighting for the liberation of Crossroads. They arrested me and they assaulted me here.

CHAIRPERSON: But they didn't rough you up?

MR NGXOBANGWANA: They did treat me badly.

CHAIRPERSON: What did they do to you?

MR WAGENAAR: When they put me in the police van. They took me and they pushed me around and pushed me and I would go and fall and so on, until I got me to the vehicle. And then I hurt my leg at my hip and I was limping for quite some time.

SECTION 29

TRC/CAPE TOWN

107

MR J NGXOBANGWANA

CHAIRPERSON: The police who roughed you up, were they under the supervision of Schelhouse?

MR NGXOBANGWANA: No, they were not.

CHAIRPERSON: How about Du Toit?

MR NGXOBANGWANA: No, they were not under him. Du Toit never used to wear a uniform, he used to wear pants only. The other policemen were the ones that arrested me, there were many of them. But I never ever saw Du Toit carry a gun.

CHAIRPERSON: Did any of these three men ever visit you in jail? Either together or separately? It is very important that you remember this.

MR NGXOBANGWANA: It is important for me to remember, but there were certain conditions, I am sure there were conditions laid down to them before they could see me, because whenever they went to see me in jail and when I asked, they said that there were certain conditions, where nobody could see me. There were four men from Crossroads and the wife who were only allowed to see me.

MR KILLIAN: So you said there were certain conditions for them not to come and visit you, that they couldn't see you. So in other words, they did come there and then try and speak to you?

MR NGXOBANGWANA: I said that there were certain conditions in regard to my visitation rights. Only my - there were only four people who were allowed me to visit me. Those were the conditions, my wife and three men, and it is possible that they also came to hear about that. Because when I asked them they said no, we were told that we cannot visit you, only these three men and your wife may visit you.

MR KILLIAN: So in other words then you had close contact

SECTION 29

TRC/CAPE TOWN

108

MR J NGXOBANGWANA

with these men because you just said by your own admission you asked that why didn't you come and visit. You felt disappointed that these three men who were your friends, that you didn't come and - you know ...

MR NGXOBANGWANA: I asked them because these were people that I was familiar with and now when there was a problem, they are nowhere to be found, and I said no, Mr Ngxobangwana, there were certain conditions, we could not

come and see you, only your wife and these three men were allowed to see you. I did not even know that there were such conditions.

MR KILLIAN: These were the three men who you negotiated with for the upliftment of Crossroads. Isn't that so, Mr Ngxobangwana?

MR NGXOBANGWANA: Which men?

MR KILLIAN: Philipus du Toit, Schelhouse, and Lawrence.

MR NGXOBANGWANA: No, I never spoke about development. I said Schelhouse was working for Crossroads, Lawrence was working for Langa and Du Toit used to patrol there as an investigator who wasn't in uniform. He would move around Nyanga and Khayelitsha and all those places. That had nothing to do with the development of the area.

MR NJOZELA: Sir, I am interested in knowing whether this idea to meet with you in King William's Town, I am just thinking where was this meeting? Whose idea was it that they should meet with you in King William's Town on the 9th of June 1986?

MR NGXOBANGWANA: I do not know, I just saw these people arriving. I do not know. I was from the farm, when I found Lawrence, saw Lawrence and he - I met him and I said I was on my way home and he said that these men were going

SECTION 29

TRC/CAPE TOWN

109

MR J NGXOBANGWANA

to come the following day by plane.

MR NJOZELA: Which Lawrence are you referring to, Graham Lawrence?

MR NGXOBANGWANA: Graham Lawrence.

MR NJOZELA: Where did you meet him?

MR NGXOBANGWANA: I met him on the way back from where I was tending to the cows. And I met Mr Lawrence and he told me. I did not ask him where he got the information from and

I said well, I will see you and then he left for East London and he told me that we will meet each other in East London in Kwigney, near the beach.

MR NJOZELA: I am going to hand over the last questions to my colleagues. Did you tell - you spoke about three black men and three white men. Do you remember the fourth black man?

MR NGXOBANGWANA: I said it was Ndimma. Ndimma and Choue is the same person. It was Mazoi and I think the fourth one was Sogo.

MR NJOZELA: Was Mr Mbinga not in that meeting?

MR NGXOBANGWANA: No, I never saw him, he was not there. I only met him here in Cape Town.

MR NJOZELA: Thank you.

MS DWANE-ALTMAN: On this issue of the 9th of June, what I am trying to establish is whether before this meeting, were there any promises made about the upgrading of Old Crossroads, prior to this meeting?

MR NGXOBANGWANA: Crossroads, we always fought for the development of Crossroads, and people getting houses. That was one of the issues.

MS DWANE-ALTMAN: Was this discussed on the 9th of June meeting, that in fact the reason why these people were going

SECTION 29

TRC/CAPE TOWN

110

MR J NGXOBANGWANA

there, was - here in King William's Town, that the only reason that Graham Lawrence, Schelhouse and Philip du Toit went to King William's Town was to get you back to stabilise the area for them, in order for them to upgrade the area? Could that not be the reason why they went to ...

MR NGXOBANGWANA: They never spoke about the development of that area, they just said that they wanted somebody to come and talk to the people so that there can be order. They never said anything then about development. But since there was land open in Crossroads, they said that people would move to that area and that as soon as the people move, they would develop the land, because there was no other way - no other place where we could put these people.

MS DWANE-ALTMAN: So this was not part of the discussion. Am I hearing correctly?

MR NGXOBANGWANA: No, there was no discussion about development at that meeting. All they said was that I should come back so that there can be peace among the people. We were looking at development in Section 1 where people left for Crossroads.

MS DWANE-ALTMAN: Why was Section 1 the only place that was going to be developed?

MR NGXOBANGWANA: As I said ma'am, this is the reason that in Section 1 there were people who had already left New Crossroads and there were spaces open, and now they had to look at these open spaces, because there was nowhere else we could put these people. We could not take these people away, they had nowhere else, we had to look for open spaces. We had to develop the space and then take from the zinks and then put people where we had developed and then move to the undeveloped areas.

SECTION 29

TRC/CAPE TOWN

111

MR J NGXOBANGWANA

MS DWANE-ALTMAN: Now this will be my last and final question to you. In your opinion, the violence from the 9th, the 10th and the 11th of June and before that, in 1985, going way back into history, was termed as black-on-black violence. In your opinion was that the issue or was

there someone behind this black-on-black violence?

MR NGXOBANGWANA: I never saw violence from any other side. The violence was amongst the people in Crossroads, not anyone else. I do not remember anyone coming and inciting violence. It came from them, because in Section 1 we decided that people from New Crossroads are going to New Crossroads, since this land was now open, it was not to be used. So that it was to be levelled out and then we could put the shacks up there. There was nothing else. What they were fighting about were beyond me, I really did not know. When I left them we had taken a decision that the trucks were going to be brought in and that land was going to be levelled. I cannot say that there was someone else who was inciting these people or not. Perhaps there was such a person that I don't know about, but I did not do that.

MR KILLIAN: Mr Ngxobangwana, you see it is for us as the Commission to understand this whole thing. During 1985 at the beginning of that violence you leave for Rustenberg. You are not visited by (indistinct), because he has got no concern about what is going on in Crossroads. In 1986, once again, before the start of the violence, knowing that you are in a volatile situation, because just before the big attack, seven people are killed. Amongst them as you said, old men who went there without your permission. Knowing that the situation is that you are like a captain abandoning ship, while your crew are all aboard. You see, for me as an

SECTION 29

TRC/CAPE TOWN

112

MR J NGXOBANGWANA

investigator to understand that, I just can't comprehend that a man of your status as you have put it this morning; the people looked up to you as a leader, in Crossroads,



they trusted you, but still here your people are in a state of war. You leave for the Ciskei. Why every time before the violence you decide to abandon the people, leave them on their own and just go and do whatever you want to do?

CHAIRPERSON: Let me add by saying it is too much of a coincidence ...

MR NGXOBANGWANA: Sir, I couldn't try to answer your question, but I would not be able to, because you are wanting to know why I leave and leave these people. These are grown-ups. God would also leave His people and come back and find that they were doing their own thing. It is not the first time that it happens in Ngxobangwana's case. It could happen to anyone, where even - they haven't even stopped fighting. We have been stopping them for a very long time. They are still fighting. I left them and there was nothing wrong, they were getting along with each other and I would come back and they were doing that. These are grown-ups. We are ~~not talking about~~ children here. It was different if we were talking about children. Children you can't leave alone. But these are grown men. I am there to help them when they are looking for places to stay. If they are fighting, I am giving you an example now. I am living in a bush now, I come from home, running away from violence again. Because I don't want to be involved in violence, I do not want to be involved in violence. If I said to them this is not right, and they don't to listen then there is nothing I can do.

CHAIRPERSON: Sir, you don't live in New Crossroads any

SECTION 29

TRC/CAPE TOWN

113

MR J NGXOBANGWANA

more, do you?

MR NGXOBANGWANA: I do not live in New Crossroads. I don't even live in Old Crossroads. I never lived in New

Crossroads.

CHAIRPERSON: Do you have friends in Crossroads, New Crossroads?

MR NGXOBANGWANA: Many of them.

CHAIRPERSON: Do you still visit them?

MR NGXOBANGWANA: I was there yesterday and I was there on Sunday.

CHAIRPERSON: How do the people there in general feel about you?

MR NGXOBANGWANA: They don't have a problem with me.

CHAIRPERSON: And they like you, and they want you back?

MR NGXOBANGWANA: They want me back. I do not doubt that. We can go there now and you can ask them.

CHAIRPERSON: Everybody is finished with the questions. Sir, I want to close by saying that many of us played many roles during the struggle. Some of us who started off as the leaders in the community to try and accomplish freedom, fighting things like dompas, ended up being manipulated by specifically the apartheid system, by the South African Police, to bring us around, and that's why you get things like ipimpis you know, Witdoeke, Ama-Afrika, the "kits constables". I am saddened by you not being analytical about what actually fuelled the violence among black people, and in this case Crossroads, New Crossroads, et cetera. What is it, why is it that when black people, when it was not convenient for black people to carry ammunition, people were arrested, but when it was convenient for the other side to have black people carry ammunition, it was easy. And it

SECTION 29

TRC/CAPE TOWN

114

MR J NGXOBANGWANA

seemed that there was an environment to make it easy for black people to kill one another. You and others and in

your case, you are fortunate, in the sense that you say that people still love you. Others don't have that privilege. Others are still hated because of the evils and the perpetration and the killing of their own people. You are still living among your own people. The Schelhauses, the Du Toits and the Lawrences, they live in different communities. The SAPs managed to perpetrate gross, gross, gross human rights violations, managed to kill black people in masses. Frequently using other black people to do that.

They are safe in their own communities. We now have to face one another, ipimpis and all, Witdoeke and all, we are continuing to live in the same communities, with people who served very devious harmful functions in the past. I am saying this to say to you that it was important for you to be here and it will continue to be important for you to enlighten the background against which all of these gross human rights violations were perpetrated. But yes, most of us were used to not ~~only spy on one~~ another, but also kill one another. But that we have to move on. And that it is very important, particularly for black people, and when I say black people, I am talking about the generic black people, all peoples of colour, who still live in those communities to make peace with one another. What in your opinion do you think should be done to bring about peace, particularly in this KTC, Crossroads, Guguletu, New Crossroads, Old Crossroads. You are aware that there are still some tensions. There are even some feelings about you say, in spite of the fact that the majority of the people still love you and embrace you. There are feelings that you

SECTION 29

TRC/CAPE TOWN

115

MR J NGXOBANGWANA

betrayed people. There are feelings that you in fact were part of the system that caused all this pain. Where do we

go in order to make sure that those feelings go away against me, against you, against others who may have played different roles? What is your thinking about where we should go in the spirit of reconciliation and bringing this country together, but especially in the feeling of making sure that black people in general, heal themselves from the morass, from the chaff, from the damage that was done in the past? What is your thinking? Just your thinking, that this is not an examination, it is an attempt to get the benefit of your wisdom, about where you think you should go in terms of healing ourselves and healing our people.

MR NGXOBANGWANA: Thank you. I thank you for your speech, it is very important. It is important, it is above all the questions asked today. Ma'am, I am hurting. I wish you could see my heart. There is nowhere I haven't gone trying to talk to the people, trying to bring about harmony. I am still not tired of it. I want this whole thing to be resolved. What can happen, Madam Chairperson, is that to bring an end to all this, is that if the people out of their own can remember where they came from and how they were. Unless someone knows where they come from, they won't change. Sitting here before you, Madam Chairperson, I am alone, I worked at the age of eight. I am an orphan. I was being paid a shilling a month. That's how I grew up. I recognise the next person and I respect the next person. If we want to live in harmony, we can call each other, the same as you are calling us. You have called us here, and we could try and form a basis, a foundation on which to build. Chairperson, many people accused me of having collaborated

with the police, but I don't see how I could work with them or how he could bribe me and give me weapons to kill my own people. Because that boy will never pick up my box and go and bury me. I don't go and ask the boer for food when I am hungry, I go to my fellow black man. I am heartbroken, because I am not any of these things that I am betrayed of. But I would ask you to go and ask the people of Crossroads what I am like. I know, even you, where you are seated, you know that you could get up and walk out of this room and there will be people that will be saying that you are a bad person. But what we should look for in the next person, is how we could help that person and how that person can help us. I don't have any ill feelings against anyone else. They all know me in Guguletu in the location.

Many of them know me. I have never been rude to anyone. I cannot say to anyone leave that, I always sit down and speak to them nicely. Without a black person knowing who he is, what can you do? It is very difficult. It is important for us to know where we come from. It is important for us to know what kind of oppression we have felt and once we recognise that, then we can unite harmoniously. I worked with the UDF and we worked hand-in-hand. We used to patrol at night. We worked every night, fighting oppression. They can tell you here in the Western Cape, I was in the forefront of fighting the pass law. If you look at New Crossroads I built that place. There are the coloureds as well. New Crossroads has been built, Old Crossroads. I built those houses under difficult situations. People were living in mud like pigs. Nobody cared. Themba Mbethu can tell you that, (indistinct) can tell you that. I want this peace that you are talking about. I really do. I really want peace under any

circumstances, I want peace. I do not like that. It is not nice, it is bad. No matter where you go, you may be driving your car, the next thing you get stopped and get pulled out of your car. If you have got money, it is taken from you. These are people doing these things, but when you talk to these people not to do that, they may agree not to do it, but as soon as you go around the corner they will do that again. These things happen. But what will help us is for the laws to be tightened up so that when we do these things, we can be sure. I also said in this policing forum that it is not going to help for policing forums, for the police to be involved in policing forums because they are the sly foxes. Policing forums should involve the community, the community should elect people. Not for the police to be in charge there. That is wrong. Thank you.

CHAIRPERSON: Mr Ngxobangwana, I close by thanking you for coming to meet with us and say to you that our investigation is not complete yet, that we will be holding hearings some time at the beginning of June and that we appeal for your continued co-operation. It is possible that we may call you again, but not for an intense a session as this. Until we close book on this issue, that we appeal to you to co-operate. We will try not to inconvenience you and ask you to come back if we ask you. Because again, this is not a court of law, it is an attempt to investigate what happened in the past, what happened to us, to have perpetrated such vicious acts. In order for us to move on, we need to honestly deal with what happened. So that we may not repeat this ever again, and I thank you very, very much. I thank my panel and hope that they didn't give you a hard time. Thank you for your competent examination. Thank

you.

SECTION 29

TRC/CAPE TOWN

119

MR J NGXOBANGWANA

MR NGXOBANGWANA: I also thank you, ma'am. I heard that you were rude, that you were not good people. I decided to come by myself but I was not treated badly. People give out different statements, in others you are good people, in others you are evil people. Any time I will be available for you to come and give testimony. Thank you.

COMMITTEE ADJOURNS

