

TRUTH AND RECONCILIATION COMMISSION

HUMAN RIGHTS VIOLATIONS

QUESTIONS AND REPLIES

SECTION 29 INQUIRY

DATE: 12.12.1996

NAME: ENOS MAZIBUKO

CASE:

JOHANNESBURG

DAY 4

10

ON RESUMPTION:

CHAIRPERSON: Have you heard from your client Mr Malaza as yet?

MR JORDAAN: Not at this stage, Madam Chair, I have not heard from him as yet, Madam Chair.

CHAIRPERSON: Mr Mazibuko, I would like to welcome you to the Section 29 hearing. I would be grateful if you would please place your name on record.

MR MAZIBUKO: Enos Mazibuko.

20 CHAIRPERSON: Thank you. The Section 29 hearing is an investigative process in terms of the promotion of National Unity and Reconciliation Act. I would like to advise that you are entitled to have a legal representative of your own choice present and I understand that Mr Jordaan fills that function, insofar as you are concerned. We have notified the appropriate Attorney-General who has jurisdiction that you are appearing today.

Before you begin your evidence, I am going to ask Ms Seroke to ask you to take the oath, please.

30 MR JORDAAN: Madam Chair, may I just ascertain, Mr Mazibuko speaks Swazi. I just want to know whether they are interpreting the correct language for him.

INTERPRETER: Swazi is basically the same as Zulu, even the previous witness was speaking Swazi.

CHAIRPERSON: Mr Mazibuko, are you able to - when the relay is done to you, are you able to understand properly?

MR MAZIBUKO: There is no problem.

CHAIRPERSON: Thank you.

10 MS SEROKE: Mr Mazibuko, I would like you to stand up and take the oath.

ENOS MAZIBUKO: (Duly sworn, states).

CHAIRPERSON: Mr Jordaan, could you just place your particulars on record, please.

MR JORDAAN: Madam Chair, I am Kurt Jordaan. I confirm I am from Du Toit Smit Attorneys and I am also assisting the witness in this matter.

Madam Chair, the witness will testify that he is led. He will make an opening statement himself. I will not submit a written statement.

20 MR MAZIBUKO: Thank you, Madam Chairperson. What I can say is that the first time that I had experienced problems, it was 12th of March 1986. That is when a child was stabbed in Pienaar and I was at a certain meeting, the Chamber of Commerce meeting at Ngwane Valley Inn.

When I came back from the meeting, I proceeded to my business and I was told about the incident that took place, that is the stabbing. It was alleged that I was accompanying the people who had stabbed that child. At that time I was at the meeting. I went around to the neighborhood and tried to enlist some help, telling that I was at the meeting at that time, I was not present. I was
30 instructed to go Lojoma in kaNyamazane. When the child was stabbed at kaNyamazane, at the same time certain children

had gone to the magistrate's office. I asked Julius to accompany me so that I could clarify the issue. We went to Shaban.

Julius was also alleged to have been there. So we decided to go and confirm that we were at the meeting. From that time onwards, or immediately before the funeral, people from Lojoma sent people to come and buy cattle to
10 prepare for the funeral. Thereafter I realised that there was some peace and a spirit of reconciliation that had been established.

I went to Julius and we spoke that they had come to buy some cattle. We came to an agreement that we are going to offer them a cattle each.

From that time onwards at the night vigil, we heard some rumours that there were certain business people who were chasing the people, that immediately after the funeral, they should go around destroying our businesses
20 and burn our houses down and kill us at the end.

The information that we received was that there were certain Comrades who were coming from the PWV area whereby they were restrained from burning our houses.

But after the funeral, despite that restraint on the Comrades who were coming from Gauteng, they started stoning our cars and they started a campaign of intimidating us.

We were trying to find out who was leading this attack, so that I could clear my name and speak to that particular person. We were informed that the Tulele Lukele
30 was at the forefront of this whole thing. At that time I did not know him.

Then I asked myself as to why Tulele was doing this. Then I decided to go to Michael, so that he could call his

son and we should clarify the issues.

In April 1986 I went to Michael Lukele's place, because he was at home at that particular time, there was a stayaway. People were actually preparing for the funeral that was going to take place. There were a lot of people and I got hold of Michael and I explained to him. He said to me the only way in which the problem can be solved was
10 that we should call a mass meeting. I asked him as to what assurance can he give me that I was actually safe during that meeting. He said to me I was definitely going to be safe. He said there is a precondition that we should go to the chief's place and request the chief that on the 3rd of April he should go to the police station and ask the station commander to phone the people and tell them that they should not - the soldiers should not be in Dundee vicinity, because we were going to solve our problems, as a community.

20 We went with Michael to the chief's place. When we got to the chief's place we requested the chief and he co-operated and he said that he would go to the police station and he would later on join the meeting.

We went out of the chief's place. As we were going down we saw a certain number of Comrades, who were already kicking people out of their houses. Michael explained to them, as to why he was with me on that particular day. They said he must go and tell Julius that they don't want to see his cars. We asked them to be fair, he has got
30 businesses and he has got a home, and how was he going to run his businesses if he was not allowed to be in the area.

We went away with Michael to Julius' place. When we got there we told him that they said his cars should not be

He complained that his businesses were going to experience a problem. We said it was for the sake of peace and he was sacrifice and his cars should not be seen along the streets. We went out with Julius to his other shop.

When we got to his shop, Julius' shop has got an entrance facing the road on which we were travelling.

10 There was another entrance on the side. When we got to the place we saw the people standing at Julius' entrance. I spoke and told them that I got Julius and Julius was prepared to be at the meeting. As I was still waiting, I was attacked, a whole bucket of petrol was poured all over my body and they were planning to burn me. At the time I saw that Michael had been lifted up. Fortunately it was a front-wheel drive and I realised that I should escape. When I escaped to my car, I found that Michael was no longer in the car. They started trying to lift the car.

20 The following morning when I woke up I went to my business and I told my workers that there was a meeting that we are trying to arrange, and they should not go to the meeting. So that if they were killed, they were going to be killed in the business.

When the meeting started, there was a Kombi and they were told that everybody should get out of their places, as well as businesses to go the meeting at the stadium.

Two hours later I got news that people had been burnt at Nkomeni where there was a people's court and Joshua
30 Nkosi was presiding over the meeting. I do not know whether I was a government, because they were telling me that these people were actually telling me some information, and these people were taken out to be burnt.

Four of those people died. The other one was wearing an overall and I thought they were

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just private people, but according to the allegations, they said he was wearing my overall and that made him my informer. As a result, out of the four people that died, I was going to bury the fourth one, because he was wearing my overall and I was going to help in the other funeral, out
10 of my own pocket.

So I buried two people all in all.

MR JORDAAN: Madam Chair, at this stage may I just get clarity about one thing. If the witness says that the person who was wearing the overall was wearing one of Julius' overalls, the interpretation said it was one of these witness' employees' overalls, which was incorrect.

MS SEROKE: Did you say one of the people who died was wearing an overall which was worn by Julius' employees?

MR MAZIBUKO: That person never worked for Julius. Amongst
20 the four people who died, the five were burnt down but they are still alive and they have been mutilated and disfigured.

I went to kaNyamazane to open a case and the case number is CR33/4/96. The suspects who were arrested were Robert Khumalo, Gibson Kabira, Samuel Malele, Amos Bata and Clement Mpanga as well as Zitholele Lukele.

Then thereafter on the 9th of April 1986, my bottle store in Masulu was looted and I sustained losses above R3 000,00. I reported the matter and it was case No
30 72/04/1986. The police, when they were investigating the matter, they arrested Aron Lushaba, Mandla Maseko, English Matisibula, Lele Tjilenga, Elias Masimano, Frans Lapelala, Eliot Nduve, Enos Mashlongo, Elvis Sve, Philip Zwane,

Johnny Makonto, John Matibula, Joseph Sibiso, Jones Magabula, Robert Mfongo, Sipho Shongwe, Tembe Lohale as well as Nompumela Gaga.

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Then on the 2nd of May 1986 my home was burnt down as well as my car, which was kept at my brother's place. I went to report the case to the police. The number was CR100/05/1986. The other matter was CR/101/05/1986. All
10 these cases are cases that arose in kaNyamazane.

Now what I want to ask this Commission today, is if I had an access or the control of that particular machine or (indistinct) called Qibasa. Why did not I go to fight these people or kill them? Because they were my enemies. They were actually fighting me personally. So why would I go and kill people whom I did not know.

I want to tell the honourable Commission that I do not have any knowledge of the allegations contained in the subpoena.

20 CHAIRPERSON: I don't know if this is a mistake. I had thought that in the evidence of Mr Nkosi, he said that the Gauteng Comrades actually tried to prevent them from attacking the businesses, but in your evidence you said something different, that it was the Gauteng Comrades. Is that right?

MR MAZIBUKO: Very good, Madam Chairperson. What I said is that in the night vigil which preceded the funeral, business people campaigned that from the funeral they were going to destroy our families as well as our businesses.

30 But the Comrades from the PWV area intervened and said they should not do it.

CHAIRPERSON: Thank you.

MR STEENKAMP: Mr Mazibuko, this question of Qibasa, and as you brought it up now, is this what Mr Nkosi told you outside, that we are busy enquiring about the Qibasa gang, while you were having this discussion outside just before we SECTION 29 HEARING

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started?

MR MAZIBUKO: No, we never spoke.

MR STEENKAMP: I personally saw you discussing something
10 outside, Sir, outside this hall, about five minutes prior us starting. Do you deny that?

MR MAZIBUKO: Yes, we did speak about that, we were discussing about our accounts with our attorneys.

MR STEENKAMP: Your attorney was not present, Sir, and the previous witness was warned not to speak to any witnesses.

MR MAZIBUKO: He was warned, I wasn't told that.

MR STEENKAMP: Did he discuss this case with you?

MR MAZIBUKO: No, he didn't.

MR STEENKAMP: Sir, what is your knowledge of the Qibasa
20 gang? Would you please inform us what you know about the Qibasa gang?

MR MAZIBUKO: What I know about the Qibasa gang is what I got from the newspapers, but I personally don't know anything about them.

MR STEENKAMP: Sir, numerous people, numerous different individuals are claiming that you were actually the head of the Qibasa gang at one stage. Are they all lying?

MR MAZIBUKO: I think they are telling lies, blue lies.

MR STEENKAMP: They implicate you as a member. Why should
30 they tell lies to the Commission? Do you have any reason for that?

MR MAZIBUKO: People from Nelspruit are very jealous. They don't want to see a person prospering, especially myself,

because when I got to Nelspruit I was very poor and they were never happy to see me progressing. As a result where I am staying, it doesn't go according to their plan that I should be poor. When I left the school and worked at the

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railway station they were so happy because I was not able to go to school. But I got so many opportunities to further my education as well as my businesses.

10 MR STEENKAMP: They were jealous about you, that is why they implicate you in murders and being the leader of the Qibasa gang?

MR MAZIBUKO: Even today they still have a jealousy and whenever there is something, if I had done those things, I think I should be in court by now or I should be in prison.

MR STEENKAMP: Sir, have you ever met Capt Walters?

MR MAZIBUKO: Yes, I once saw him at the police station, because in 1986 he used to come to the area, we used to see him in the streets, but I have never met him personally or
20 by myself.

MR STEENKAMP: And do you now whether Mr Nkosi has ever met him?

MR MAZIBUKO: I don't know whether they ever met, but I know that he knows Walters.

MR STEENKAMP: How do you know that Mr Nkosi knows Mr Walters?

MR MAZIBUKO: The policemen in 1986 were going around the area, they used to come to the area very often.

MR STEENKAMP: Is that all?

30 MR MAZIBUKO: Yes, that is all.

MR STEENKAMP: Do you have any knowledge of the names of the Qibasa members or the people that were named the Qibasa gang in your area, in 1986?

MR MAZIBUKO: No, I don't.

MR STEENKAMP: Because we have got sworn statements, Sir, and even certain confessions made by certain different individuals. One of them at least being Mr Sifunsa,

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implicating you in the murders as mentioned in your subpoena. Why should he do that, Sir?

MR MAZIBUKO: I have absolutely no knowledge thereof.

10 Sifunsa was arrested by the police and he was coerced into giving false information.

MR STEENKAMP: How do you know he was coerced into giving false information, Sir, how do you know that?

MR MAZIBUKO: There was a day when he was arrested by this captain and his brother came to me and told me that he saw Sifunsa at the police station, and Sifunsa had told him that he was forced to make a statement. That is when I decided to instruct my attorney to go and deal with the matter, and ask for bail. At the time when my attorney
20 went to the police station, the regional court prosecutor told my attorney that they did not want an attorney or any legal assistance. So I was forced to take my attorney and go straight to the police station, because he told me that he had seen those people the previous day, and they said they wanted an attorney.

MR STEENKAMP: And Mr Thobele, why should he also mention you and he also made a statement where he says, he also implicates you as well as the Qibasa members. At one stage he apparently had a dispute, and the dispute was then
30 resolved between yourself and Mr Nkosi, Mr Madada Lukele, Gude and Mr Maseko, among others. Do you deny that fact?

... (END OF TAPE 2 - SIDE A) ...

MR MAZIBUKO: ... and on the following day Thobela came into my office and told me that he was taken by the captain by force and he had been taken to Belfast and he did not know anything about those allegations, and I said we shall meet at court with the captain. Then he said he wanted to be

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released. I asked him why did he make an affidavit and we
10 came to an agreement that he should take an affidavit to the police that he had been coerced to make this statement.

CHAIRPERSON: Mr Mazibuko, why would you want to bail out Mr Sifunsa, what was your relationship with each other?

MR MAZIBUKO: I do not want to bail him, but his brother wanted to bail him.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... of the community?

MR MAZIBUKO: No, I am not a philanthropist. I told his brother because his brother had actually told me that the
20 police had forced him to submit this statement, and I said the type of job that I am doing does not allow me, so I will instruct my attorney to do it. I was doing that on behalf of the brother.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... in fact, the reason why you were so interested in the matter is because you were implicated in that confession.

MR MAZIBUKO: That is absolutely not the reason.

CHAIRPERSON: Furthermore, do you know Mr Matebele? Mr Abid Ningo David Matebele, a special, a detective-
30 constable, do you know him?

MR MAZIBUKO: I have heard about him, but I have never seen him.

CHAIRPERSON: He made an affidavit in which he says that he overheard a conversation between yourself and two other males, and that at that time you were talking about making sure that they get that Godfrey Molemane and Solly Sifunsa get released. So that they could be killed so that the evidence would be destroyed. Why would they make such an affidavit about you, if this is all false? What interest do SECTION 29 HEARING

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10 they have? Are they against you also?

MR MAZIBUKO: Yes, they do hate me. Why haven't they been killed, because they are outside.

CHAIRPERSON: Mr Adam Nyanga, he is a teacher. Do you know him from Pienaars Trust?

MR MAZIBUKO: Yes, I do.

CHAIRPERSON: ... (Microphone not switched on - indistinct) ... with him before?

MR MAZIBUKO: I never had a fight with him, but before my home was burnt, I went to Nyanga's place and I spoke to Mr
20 Nyanga and I explained to him what was being planned. He said to me he will see to it that my home is safe. We have never fought. Even now we meet. No, I never had a fight with him.

CHAIRPERSON: ... (Microphone not switched on - indistinct) ... indicating that he heard you discussing this matter in court, outside the court, that these two men must get bail, so that you can destroy the evidence that they have given. What has he got against you?

MR MAZIBUKO: Ever since this matter has been investigated
30 he has been part of the police team and I would say he had a vested interest in the matter, but he never heard me speaking and why are those people still alive? I would be a prophet and read his mind as to what he wanted to do. He

knows what he wants from me.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... he has a vested interest. Now I am asking you. You are the one who said he has got a vested interest. What do you think he is going to gain by this?

MR MAZIBUKO: In my life it is very rare that the police were working hand-in-hand with the civilians, as it was done SECTION 29 HEARING

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10 in my case.

CHAIRPERSON: You are not apparently hearing me properly. You said that Adam has a vested interest. You made the statement. Now I want to know from you what do you mean by that statement. Why do you say he has got a vested interest, what does he stand to gain by implicating you?

MR MAZIBUKO: Adam, as well as - Adam has gone several times to Daniel Thobela to co-operate with Capt Molapo simply to have me destroyed.

CHAIRPERSON: Destroyed? You are a philanthropist, you get
20 people like Solly out of jail. Why would they want to destroy you?

MR MAZIBUKO: That's why I said I can't be a prophet, I can't read people's minds. I wouldn't know what his ideas were.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... according to your evidence, why would they want to destroy you.

MR MAZIBUKO: People in Nelspruit don't want to see me as a person who came from outside, prospering, because I was a
30 new person in Nelspruit.

CHAIRPERSON: Detective Sergeant Pedi, do you know him,
Assam Sampson Pedi, do you know him?

MR MAZIBUKO: No, I don't.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... who says that when he attended court, he overheard your conversation. Now can all of these different people, not all of them policemen, what interests would they have in destroying you?

MR MAZIBUKO: Let me ask this Commission, if I had planned to kill these people, why haven't I killed them by now?

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CHAIRPERSON: ... (Microphone not switched on - indistinct)
... at this stage, isn't that so?

MR MAZIBUKO: There is absolutely nothing like that.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... Sikulu?

MR MAZIBUKO: Yes, I have.

CHAIRPERSON: Tell me about it.

MR MAZIBUKO: I personally, when I left my job at the railway station, I got to be a money-lender. Then I was given the name that I was Sikulu or the big crawl.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... part of that crawl, just yourself?

MR MAZIBUKO: No, there was a lot of people I was working with.

CHAIRPERSON: Can you give us the names of those people?

MR MAZIBUKO: At which particular moment are you referring to?

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... and how long did it last, when did this all start?
30 Give me an idea, give me facts.

MR MAZIBUKO: The big crawl started in the 1970s and it is still going on even now.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... during the 1970s and now, who were the members of that
...?

MR MAZIBUKO: During the 1970s it was myself, Peter Nkosi,
Piet Nkosi as well as other people we were hiring on a
temporary basis, because at the time I was still very
young.

CHAIRPERSON: In the 1980s, who were members of this big
crawl?

10 MR MAZIBUKO: In te 1980s there were the three of us, Peter
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kosi, Piet Nkosi and myself.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... when you were talking about Pieter Nkosi, were you
referring to Julius or is that somebody separate?

MR MAZIBUKO: No, I am not referring to Julius, it is a
separate person. He is working all by himself now. We are
no longer together.

20 CHAIRPERSON: In the 1990s, who were members of the big
crawl?

MR MAZIBUKO: In the 1990s it was myself, James Nkosi,
Filomon Lukele as well as our employees.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... activities in the 1970s?

MR MAZIBUKO: We used to lend money out to people.

CHAIRPERSON: Did you lend money out at the normal interest
rate? How was it done?

MR MAZIBUKO: I don't know what amount you are referring to
30 when you speak about the normal interest rate.

CHAIRPERSON: What did you lend the money out, at what, on
what basis did you lend the money out?

MR MAZIBUKO: We used to lend money to also the figure whereby you the person, would borrow R1,00 and you would get 50 cents interest on that R1,00.

CHAIRPERSON: So if you lent R100,00 out, what would the interest be?

MR MAZIBUKO: It would be R50,00.

CHAIRPERSON: In the 1980s, what was your business?

MR MAZIBUKO: In 1980 to 1983 I left that job and I went to open up a bottle store in Masulu and that bottle store was consequently looted. In 1985 I opened up another bottle store in Dungie and I was busy at that time. After 1986,

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after my bottle store had been looted, as I have described to the Commission, was that I had better change the environment and break with the past and I went to the university and studied up till 1992.

CHAIRPERSON: And what happened to people who didn't actually pay you back? What did you do with them?

20 MR MAZIBUKO: We would take their possessions and sell it in order to cover our costs.

CHAIRPERSON: How did you do that?

MR MAZIBUKO: I would go to that person's place, demand my money. Then if he is not able to pay me, I would take the possessions and keep them for five months, to give them a chance to pay me back. If he doesn't I would sell the property.

CHAIRPERSON: And no action was ever brought against you for taking people's possessions? Do you know that that is illegal?

30 MR JORDAAN OBJECTS: Met alle respek, Voorsitter, ek weet nie of u 'n regsmaning hieroor wil waag nie. Ek dink dit is argumenteerbaar of dit onwettig is. Wanneer 'n persoon

vrywillig in 'n ooreenkoms ingaan en tot sekere terme daarvan ooreenkom, is dit ongetwyfeld nie onwettig nie.

CHAIRPERSON: I suggest you study the law, Mr Jordaan, and you will find that you cannot do that, even if you have those kinds of agreement, they are against the law. I am running this inquiry. Your client will please answer the question.

MR JORDAAN: For the record, Madam Chair, I object, because I don't share your view. There is a Supreme Court decision
10 which has been to the contrary.

CHAIRPERSON: Carry on, Mr Mazibuko.

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MR MAZIBUKO: Could you please repeat your question?

CHAIRPERSON: I said, did you know that it was wrong of you simply to take people's possessions and have them sold? Could you tell me who you used to take their possessions?

MR JORDAAN OBJECTS: Madam Chair, I object, it is again the same thing as yesterday. You start in an emotional manner
20 posing one question after the other without giving the witness the opportunity to reply. I request that you please give him the opportunity to first reply to the one question before posing the next.

CHAIRPERSON: Mr Mazibuko ... (Microphone not switched on - indistinct) ...

MR MAZIBUKO: I would go there personally. I would go there personally.

CHAIRPERSON: And you would carry the furniture and the possessions away yourself?

30 MR MAZIBUKO: Yes, at times I would be accompanied by my employees.

CHAIRPERSON: Do you know that there are allegations that Sibya Sikulu used Qibasa to do all their dirty work for

them? Are you aware of those allegations?

MR MAZIBUKO: Where a Qibasa member came to our rescue, not even at a single given moment that I can actually think of where I was aligned with the Qibasa gang.

CHAIRPERSON: Why would people make these allegations about you? Why would someone like Mr Sifunsa, Mr Molomane make confessions to a magistrate where they implicate you in murder? What interest do they have in destroying you?

MR MAZIBUKO: I thank you. I shall ask you to ask them and
10 tell, so that they could tell you of a home where I went
and killed a person, myself and Molomane. They must tell
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one person to which I did that.

CHAIRPERSON: Mr Mazibuko, we came down to Nelspruit and almost everybody talked about Qibasa and what they did. And people said when we asked who was Qibasa, who were they run by, they named you and they named Mr Nkosi. Now are all the people in Nelspruit against you? Is that what you
20 are saying?

MR MAZIBUKO: Yes, they actually hate me because I have never been a member of the Qibasa gang and I have never been aligned to them.

CHAIRPERSON: You yourself confirmed here that you had no fight with the school teacher, and then you said he had a vested interest. But why would he lie about you?

MR MAZIBUKO: I have already said that I am not a prophet, I can't read a person's mind. I do not know. If he decides to tell lies, that is his prerogative.

30 CHAIRPERSON: Did you work for the police?

MR MAZIBUKO: I never worked with the police.

CHAIRPERSON: There were rumours and allegations that you did.

MR MAZIBUKO: When I left school in 1971, at the police they did take people who were actually, who hadn't completed their education, and if I wanted to be a policeman I could have done that. I was very independent financially at that time, so I couldn't have needed any help from the police. And if there was a voucher that I got from the police, you should be confronting me with this voucher and telling me Mazibuko, you were paid this amount, just justifies why you got this amount. And you would also
10 go and check my ... (intervention).

CHAIRPERSON: ... (Microphone not switched on - indistinct)

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... were that businessmen like yourself ... (Microphone not switched on - indistinct) ...

INTERPRETER: The speaker's mike is not on, please.

CHAIRPERSON: That businessmen like yourself were perceived to be working hand in hand with the police. These are the allegations made. Now why would the Comrades act against
20 you in that particular fashion?

MR JORDAAN OBJECTS: Madam Chair, the interpreter is still interpreting what is being said and you started speaking. So it cut off what the interpreter had said. Could she just repeat it, please.

CHAIRPERSON: Will you do that?

MR MAZIBUKO: I don't remember the question because you started speaking before I could finish interpreting.

CHAIRPERSON: Mr Mazibuko, the allegations that came from the Nelspruit hearing, and in fact contained in most of the
30 statements, are that businessmen like yourself, Mr Nkosi and the other members of Sibya Sikulu were working hand-in-hand with the special branch of the Nelspruit police.

MR MAZIBUKO: I did mention it that Sibya Sikulu was not having any political inclinations. So there was absolutely no reason for us to be working with the special branch. We have never gone to any political meeting, where I had gone to the police to work with the police. If we were informers, they would tell me what I had divulged or what I said to the police. But there is no allegation of that sort. These are hanging allegations, and I can't respond to them.

10 CHAIRPERSON: Mr Mazibuko, were your businesses boycotted at any stage, were you affected by the stayaway?

MR MAZIBUKO: That is correct, it happened.

CHAIRPERSON: Why did this action happen against you?

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all you belong, you have your businesses in the township, you are lending people money, you were a philanthropist, you got people out of jail. Why was there that kind of anger against you?

20 MR MAZIBUKO: On the meeting, if the meeting had been a success, maybe I would be having answers to these questions. But the meeting was actually not successful because we wanted to address the issues, but we never actually got a chance to address the meeting and get answers to our questions.

CHAIRPERSON: Do you know Warrant-Officer Malaza?

MR MAZIBUKO: Yes, I do.

CHAIRPERSON: ... (Microphone not switched on - indistinct)

...

30 MR MAZIBUKO: He is a policeman. That is all.

CHAIRPERSON: Do you have a relationship with him in any way? Did you know him better than simply knowing he is a policeman?

MR MAZIBUKO: Before he went into exile, he used to come because he used to come to the place where I was working. Even now recently when he came back from exile, he was given a car. They were subsidised. And at the time when the Government decided that they were running out of subsidies, he said to me he should - I should take the car rather than the car going back to the bank. That is all.

CHAIRPERSON: So you knew him more than simply knowing he is a policeman.

10 MR MAZIBUKO: What do you mean I know him more than he is a policeman?

CHAIRPERSON: You took his car back, and you knew him before he went into exile.

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MR MAZIBUKO: That is correct.

CHAIRPERSON: ... (Microphone not switched on - indistinct) ... before he went into exile?

MR MAZIBUKO: I know him as a policeman.

20 CHAIRPERSON: ... (Microphone not switched on - indistinct) ... more than that?

MR MAZIBUKO: No.

CHAIRPERSON: You know of course in the statement of people that you have bailed out, they advise that you were going to pay them money and that Sipisi Malaza was linked between Qibasa and yourself.

MR MAZIBUKO: I don't know anything about that.

CHAIRPERSON: ... (Microphone not switched on - indistinct) ...

30 MR MAZIBUKO: That is correct, I am sure.

CHAIRPERSON: I have no further questions. Andre?

MR STEENKAMP: Sir, that is interesting to me because as I understand Capt Walters correctly, he said he saw Warrant-

Officer Malaza in the presence of people Sibya Sikulu, all the Qibasa gang members. They were actually worried about his connections, and you can't help us with any more information?

MR JORDAAN OBJECTS: I object, Madam Chair, the witness is being misled. Walters did not say this. Walters said that he saw the people in the company of Malaza, alleged by the people to be Qibasa. The other name which my learned friend referred to was not mentioned, it is misleading the
10 witness.

MR STEENKAMP: I would like to continue, because I see we can't any further with this attorney. ... (Microphone not switched on - indistinct) ... do you really want us to believe your version today, while we have got sworn

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statements of numerous other people, do you want us to believe that all these people are lying and we have to take your version today as the truth. Is that what you are
20 saying today?

MR MAZIBUKO: Tell me, Mr Chairman, if I was a member of the Qibasa gang, why these people who actually destroyed my property, were not killed and I am fighting Botha's fight. They are still alive even today.

MR STEENKAMP: Why should we believe you today and not believe all the other numerous statements, confessions, statements under oath, people who testified at the Nelspruit hearing, naming you as one of the Qibasa members, and involved in atrocities. All I am asking is, do we have
30 to believe you today and saying by that, implicating thereby that all these other people are lying? Can you please answer that.

MR MAZIBUKO: I am not going to force you to believe me, but I stand firm on what I have just said.

MR LEWIN: Mr Mazibuko, could I just ask, you have told us a great deal today about what actually happened to you. Do you know about the process that we are involved in, in the Truth Commission?

MR MAZIBUKO: Yes, I think I do.

MR LEWIN: ... (Microphone not switched on - indistinct) ... was the hearing that we held at Nelspruit?

10 MR MAZIBUKO: Yes, I do.

MR LEWIN: Wouldn't it be natural for you, having suffered in the way that you say you have suffered, to have come forward or to come forward now, and make a statement to the Commission about how your property was destroyed, how you were attacked, et cetera?

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MR MAZIBUKO: I have already said that as I am trying to, I was trying to break away from my past, that is why I
20 decided to go to the university. I was not going to appear in front of TVs, complaining about the situation, because I wasn't going to get any compensation for that.

MR LEWIN: So what I am asking is that do you realise that the statement-taking process does not only involve appearing in public.

MR MAZIBUKO: Yes, I do.

MR LEWIN: Because what we are trying to do is to create and to compile as full a picture as possible about what happened. So it in fact would help us if you made a full
30 statement to the Commission about what happened.

MR MAZIBUKO: I still stand firm that if I had to make a statement, I wouldn't do it voluntarily, maybe you would have to force me to submit a statement.

MR LEWIN: We will not force you to do anything. Could I just ask a final question. There is a list of names that have been mentioned by various people. Rex, Solly, Pat, Louis. Do these mean anything to you?

MR MAZIBUKO: Yes, I do.

MR LEWIN: If you were to give one name to them, how would you define that?

MR MAZIBUKO: Solly, I was attending school with his elder brother in the very early seventies, and the time I started buying cars in 1970 he was working IGI and he was the first contract for me in the insurance industry. Pat and Solly were people that I used to see in the street and they knew that they were Pat and that was Solly and I don't even know where they stay. I know Solly much more than them.

MR LEWIN: Do you know Rex?

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MR MAZIBUKO: I know Rex's father. In 1976, that is late 1976, I bought a Valiant and when I stopped working for the Railway, I bought another Valiant so that I wanted to sell the other one. But I ended up not selling any, because the Valiant was very troublesome. The only person who could fix the Valiant was Rex's father. That's why I knew him, because he was my mechanic at that particular moment.

MR LEWIN: One of our witnesses has described them as a group, as a bunch of drinkers. Would you agree with that?

MR MAZIBUKO: You mean Rex? Do you mean Rex?

MR LEWIN: Pat, Louis.

MR MAZIBUKO: I don't associate with people who drink. Yes, I knew that they were drinking, but to what extent I wouldn't know.

MR LEWIN: You don't know about them being involved in anything else, in any other activities together?

MR MAZIBUKO: I wouldn't know that, but I heard rumours, but I have never seen anything being done by them.

MR LEWIN: Did you ever come across someone called Kill-A-Man?

MR MAZIBUKO: No.

MR LEWIN: Steve Tshwetse?

MR MAZIBUKO: No.

MR LEWIN: I have no further questions. Thank you.

MS SEROKE: What surprises me, Mr Mazibuko, is that a
10 person of your calibre, who had so much contact with the
community, you were lending out money and you also buried
people, but today you tell us that you do not know the
activities of the Qibasa within the community within which
you are living.

MR MAZIBUKO: I have never seen them doing anything.

MS SEROKE: I did not say you saw them, but didn't you even
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hear of their activities? That's why I am saying it is
20 quite surprising to me, for a person who has so much
contact with the people, because at times people do talk at
random. Especially if it is a ganger, they would speak
that there is a certain gangster that is terrorising the
community. But now you said you don't know their
activities.

MR MAZIBUKO: No, I have never heard anything to that
effect.

MS SEROKE: You wouldn't hear that there are other people
terrorising the community with the Qibasa gang. That comes
30 as a big surprise.

MR MAZIBUKO: You can conclude in that manner.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
... Mr Mazibuko must be the only two people, with Capt

Walters, they don't know what Qibasa did.

Thank you very much for appearing. We remind you that the amnesty date is open until Saturday. We also wish to remind you that if it is found that you have perjured yourself at any stage, that there are actions that can be taken in terms of the Promotion of National Unity and Reconciliation Act. You may go. We are finished with you.

Mr Jordaan, could you please just check what has happened to your other client?

10 MR JORDAAN: Madam Chair, I don't know, the people are not here yet. I don't know whether they were called back or whether they turned back, but they haven't arrived. Three.

CHAIRPERSON: ... (Microphone not switched on - indistinct)
...

MR JORDAAN: It was about half past nine. ... (Microphone not switched on - indistinct) ...

DISCUSSION REGARDING POSTPONEMENT DATE FOR MR MALAZA -

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20 MICROPHONE SWITCHED OFF

CHAIRPERSON: As I have already stated yesterday ...

(END OF TAPE 2 - SIDE B).

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