

**TRUTH AND RECONCILIATION COMMISSION
DAY 2 - TUESDAY 13 AUGUST 1996**

CASE NO: CT/00570

VICTIM: MANDLENKOSI KRATSHI

NATURE OF VIOLENCE: FATHER SHOT & KILLED BY POLICE

TESTIMONY BY: SIMPHIWE KRATSHI [son]

NONCEBA MANGALISO

DR RAMASHALA: I especially would like to welcome Simphiwe, Simphiwe who's on your right hand side? Which - which one is Nonceba, okay. On the left hand side is your mother, your mother?

MR KRATSHI: Ja.

DR RAMASHALA: Okay, welcome Ms Kratshi, [indistinct] okay. Could I ask that both Nonceba and Simphiwe stand so that you can take an oath. I'll start first with - I'll start first with Simphiwe.

SIMPHIWE KRATSHI Duly sworn states

NONCEBA MANGALISO Duly sworn states

DR RAMASHALA: Thank you, to facilitate your statements the Chairperson, Ms Mary Burton, will help along, Chairperson.

MS BURTON: Thank you Dr Ramashala, I once again welcome to all of you here. Ms Mangaliso you're going to start to tell this very important story this afternoon and we're very grateful to you for coming to tell what you witnessed and the very tragic death of your next-door neighbour, Mandlenkosi Kratshi in January of 1985. So will you please tell us what happened when you began to hear what was going on next-door?

MS MANGALISO: Tshaka Mandlenkosi Kratshi was my neighbour, then it was early in the morning just before 8 o'clock and we were both standing because his home was not very distant from mine, because our houses at the location are crowded. We were standing behind the house and he was standing there and I asked him whether the policemen had not come again, because they had come earlier on to look for him.

Then he said no they had not come and he went into the house because he was cooking porridge in the house and there was - Simphiwe was standing next to him. And I think he was 7 years old at the time, whilst standing there where I was there came two police van and two policemen came - four policemen came out of the vans. They were Vermeulen, Moodey, Dan and De Villiers - they went into Tshaka's home and I was watching and Dan asked Tshaka in Xhosa why he had not come when they had actually called for him. Then he asked why they had called for him, whilst sitting there watching I saw the door being closed.

I ran round to come and stand just before the gate and I could see Simphiwe standing afar next to another yard and I could hear sounds of them beating him. I could hear that they were beating him, then I screamed. There were other people around but I couldn't tell who those people were.

We were crying and Vermeulen threw tear gas at us, I ran away to my house because my sister liked doing washing, then there were two baths there outside and then I dipped my face into this bath of water.

And I went back to where I was standing before, as I was standing I could see that the door was open and Tshaka was standing at the door. He was bleeding and there was blood running down his neck. And he looked very tired, I again went round - there were other people who had joined me now and De Villiers was standing outside. Some two other policemen were remaining there and Vermeulen had been standing outside all the time. Then I heard De Villiers in **Afrikaans** saying: **Give way, let me shoot this pig**. And I heard this sound - it - the - the gun that he used was not the usual gun that has got a loud sound. I then looked at Tshaka and he was staggering - staggering - staggering and he ultimately fell next to the door, facing downwards.

We screamed, crying and more and more people came to the scene. And I don't know who brought information to the school and Themba came and asked who had shot Tshaka. I was still crying and then I pointed at the person who had shot Tshaka. After that there never was happiness in the location. Some other police vans came and an ambulance to came and they took out a stretcher and they took Tshaka onto the stretcher, but we could make out that he was dead. Because when they left they had - his body was covered with a blanket.

Then they left with his body and in the location there never was happiness after that. Until he was buried, even after his funeral there was no happiness what so ever. I pause.

MS BURTON: Thank you Ms Mangaliso, I know it was not easy for you, you told me that this is the first time you've told a story in public. And we're grateful to you for coming, this is - this - we have heard earlier today of how Tshaka was well known as a leader and how other young people were in fact beaten for wearing a T-shirt with his name on it.

And it's clear that he was a major influence in the area. I think I will ask now if we can hear what Simphiwe remembers from that time. Perhaps you could all move up a little bit, it might be easier than trying to move the microphone. If you could just all move your chairs a little bit more towards the edge of the stage. Halo Simphiwe, welcome here today.

MR KRATSHI: I also greet you ma'am.

MS BURTON: You were a very little boy - you were 7 years old - when this happened. Would you like to tell us what you remember?

MR KRATSHI: Yes, I would like to tell you. It was in the morning and I was preparing to go to school, I was very hungry because I was from my grandmother's place. Then I decided not to go to school first, I've went to my father first and I told him that I was hungry - I had to eat before getting to school.

So my father tried to cook porridge for me and police came to him and they told him - they asked him why he would not come to them if they had asked him to come to them. Then he said he was going to come to them but he was still cooking porridge. Then the policemen who - would not except that - they felt that they have been calling him several times and then the policemen would not listen to his explanation.

They forced him to leave what he was doing and go with them and he said he could not leave me hungry as I was, because I was going to school. He had to prepare porridge and then they did not

allow that he should continue. They started touching him and my father took a fork and stabbed them with the fork and they punched at him. Then the police went out of the house and I saw one white policeman, a **Boer**, taking out a gun and advancing for my father. And he shot just once and he fell down and he never recovered up to today - I end there.

MS BURTON: Will you - will you tell us what the effect of your fathers death has had on you and other members of you family?

MR KRATSHI: It has brought great changes to me. It has really affected me, so I am unsuccessful in many things - I'm just doing some things that's out of order. There's no one to help me because he would be helping me if he was still alive. So many things have affected me from all over.

MS BURTON: Thank you, thank you, well you have a role model to try to follow in your - in your family and we give you our sympathy that you lost your father at such a very young age. I would just like - before asking you anything else - if you - if there's anything else you want to say, to read to you something of what I - Research Department have told us about what was happening at the time.

In 1984 the African Township of Beaufort West had a population of approximately 7,000 consisting of hundreds of chanteyns and approximately 600 houses. 11 taps and 16 public toilets served the entire community. On the 9th of December 1984 the black youth of Beaufort West called a mass meeting at which the Zanokhanyo Youth Organisation - Zanokhanyo means come with the light - was established. And the driving force behind the Youth Organization was a dynamic organizer and dedicated political activist, Mandlenkosi Tshaka Kratshi.

On the 22nd of January, as we've heard, Mr Kratshi who was also a member of the UDF in the Karoo, an executive member, was shot dead. Following the shooting, residents gathered at the local community hall to discuss the shooting. Numerous community councillors resigned

After police used tear gas to disperse the crowd outside a hall that evening, an attempt was made to fire a bomb at policeman's home. The house was gutted, but the policeman and his family were taken safely to a secret address. Unconfirmed reports alleged that the home attacked belonged to one of the policemen involved in the shooting of Mr Kratshi.

On Wednesday a second house was gutted and there was a total boycott of classes on the 23rd of January at the Lower Primary School in the township.

All political gatherings in the Magisterial District of Beaufort West were banned for that weekend in terms of the Internal Security Act. The funeral was held on the 1st of February and went ahead in a ceremony marked by discipline and restraint. The UDF and apparently the entire black community of Beaufort West decided to comply with all the provisions of an order by a Magistrate which prohibited freedom songs, banners and speeches and effectively restricted the crowd to fewer than 300.

The people decided to plan the ceremony as a peaceful one and the word went out that most would have to stay indoors. This was said by the Rev Paul Oliver of the AME Church. The service was a very emotional one and the township of Beaufort West was renamed KwaMandlenkosi in memory of Mr Kratshi.

You are Mr Kratshi junior, is there anything else that you would like to add to what you've said to us already?

MR KRATSHI: Yes, there is. One other thing I would like is that I'm suffering - there's no one to help me in this world. No one is helping me the way my father was going to help me. I'm suffering in many things and I live with my grandmother. My mother lives in Cape Town, I am a thief, I have got cases for theft. When I want anything I've got to suffer in order to get what ever I need.

MS BURTON: We hear what you say Mr Kratshi and we will see what can be done to council you in the coming future. We do believe that there are people that support you, comrades of your father's and in your community who will help you if you reach out a hand to them - their hands are there ready to help you.

Ms Mangaliso is there something else that you would like to say to us. I don't want to distress you any more, but I want to give you the chance if you do want to say something.

MS MANGALISO: Yes, there is ma'am. It is true that Simphiwe - if perhaps the father was still alive he would be of great help to him because at the time I wasn't aware of this political struggles. And then their father to Simphiwe - he used to politicize people and what hurt me mostly was that the late Tshaka was the only son to his mother. His sister was a useless person, so after Tshaka was shot his mother was left all by herself and after some time the sister died to. So the mother is all by herself. We also suffered a great loss as the community.

MS BURTON: Thank you Ms Mangaliso, are you able to give us an address for Mr Kratshi's mother so that we can investigate?

MS MANGALISO: I don't know her address because here in the location we don't know the addresses but I do know where she lives.

MS BURTON: Thank you very much, we'll see what we can pursue. I don't have any other questions, I don't know whether any of my colleagues do.

DR RAMASHALA: My questions are for Simphiwe. You do not live at home right now?

MR KRATSHI: No.

DR RAMASHALA: You have a - in trouble quite a bit? And I think we hearing you saying that you don't have a roll model and that in a sense you are raising yourself - or you have raised yourself?

MR KRATSHI: It's like that ma'am.

DR RAMASHALA: How far did you go in school?

MR KRATSHI: I'm now in Std 6.

DR RAMASHALA: Are you in school right now?

MR KRATSHI: Yes ma'am.

DR RAMASHALA: If you were to - to think about what you want to become, what can you tell us?

MR KRATSHI: There are many wishes I have.

DR RAMASHALA: [indistinct]

MR KRATSHI: I wish I could be an actor together with my friends - maybe we could come out with something. Secondly my other wish is to be educated.

DR RAMASHALA: How do you do at school?

MR KRATSHI: My performance is very bad at school because I don't get any support - I sometimes have to go to school in - an empty stomach and I don't have much interest. In the morning I don't have food, then after school I also don't have food to eat. Even what I learn at school I do not absorb well because I always think where am I going to get food. My grandmother is a pensioner.

DR RAMASHALA: How are - how are you and Macholo living - you're just living on Macholo's pension, is that...[intervention]

MR KRATSHI: Yes, it's like that.

DR RAMASHALA: [indistinct]

MR KRATSHI: She's not enjoying good health at all. She was not staying with us because she used to be with the Boers and she only came back here today to come and stay with us and she is not well.

DR RAMASHALA: [indistinct]

MR KRATSHI: I'm 17 years old.

DR RAMASHALA: Thank you very much, any other questions? Is there anything else you want to say? Ms Seroke.

MS SEROKE: Simphiwe you say the fact that there is not one helping you like a parent, has led you to do some wrong things. Could you just tell us of these wrong you do which have put you into trouble?

MR KRATSHI: Yes, I can explain because I also wish that I could have nice things and I don't get any support from my grandmother. So this puts me into trouble because when I see beautiful things I have this wish and then I just go and take it and steal it without paying for it.

MS SEROKE: And then in that way you get into trouble?

MR KRATSHI: Yes.

MS SEROKE: Now if your father was there supporting you, putting you into the right track as he was an honorable person and respected person, it would mean you wouldn't be in that trouble you are in?

MR KRATSHI: Yes, it's like that.

MS SEROKE: Thank you.

ADV POTGIETER: Ms Mangaliso there was an inquest into the death of Mr Kratshi. Did the police ever take a statement from you?

MS MANGALISO: Yes, there was a statement that was taken from me which was after a long time because when the policemen asked for this statement from me, I was working for the Wimpy and I used to run away from them because I got a word that I should not give a statement to the police before I see the lawyers.

I remember one day at work I had already told my co-workers that if the police come they should not point at me and say I'm the one. Then it happened, one friend of mine and I was going to work that time in the afternoon and she called me - Evelin - that I should come to her. Then I asked who's looking for me and when I came closer I could see there was a policeman taking at - standing at the door.

Then I decided to move back and hide and I ran round the corner and went into the Reall Hotel. And I asked for clothes and some **doeks**, then I left my uniform there and put on this clothes and went to the location. I found this Special Branch people there at my home and after I had given my statement to the lawyers I thereafter gave the Special Branch people my statement.

ADV POTGIETER: [indistinct] according to our records the inquest was held on 25th of October in 1985. Now, the statement that you gave to the police, was that before the inquest was held in the Magistrates Court here in Beaufort West?

MS MANGALISO: I gave my statement before that but I can't remember what month it was but it was before the 15th of October.

ADV POTGIETER: [indistinct] to come to Court and to come and talk about what happened when Mr Kratshi was killed?

MS MANGALISO: Yes, I went to Court and I did go.

ADV POTGIETER: I understand it [indistinct] to give evidence at Court?

MS MANGALISO: Yes, they said I should give evidence in Court and tell them what I had seen.

ADV POTGIETER: Did you [indistinct] or what?

MS MANGALISO: Yes, I did that.

ADV POTGIETER: And did you tell the court exactly like you've explained to us now what happened on that day?

MS MANGALISO: Yes, I told them everything there but here I'm in a relaxed mood and there I was nervous because it was the first time for me to stand in court. I told them about the killer De Villiers who said: **Let us kill this pig.**

ADV POTGIETER: And apart from yourself did anybody else who also saw what happened there give evidence?

MS MANGALISO: Yes, there were other people - two of them who gave evidence but one of them the lawyer said and I don't know whether he was for the state or for the complainant. He said to me that I was the one who went about telling people who was the killer of De Villiers. Because he said the other witness did not say that.

ADV POTGIETER: [indistinct] these other people that you speak about are they also from the township or are they police - police people?

MS MANGALISO: They are residents in the location.

ADV POTGIETER: And the - this Mr De Villiers do you know where he is now?

MS MANGALISO: I don't know much about his whereabouts but a friend of mine - Nora - who looks very much like me and once lived in George that year, said she met Mr De Villiers and Mr De Villiers thought it was me and asked her: **Have you come to point me.** And he said he wanted to meet him in one road and he did think of it that we looked alike and perhaps De Villiers was mistaking her for me. And so she did not go there.

ADV POTGIETER: So it could be that he is in George?

MS MANGALISO: Yes maybe.

ADV POTGIETER: Can I also just ask you Ms Mangaliso from what you saw there, was there any reason for the policeman De Villiers to - to shoot Mr Kratshi

MS MANGALISO: According to what I observed there was absolutely no reason why De Villiers shot Kratshi because it - Mr De Villiers wanted Mr De Villiers to go to the police station he could have easily done so, because there were four of them. And they could have forced him if they really wanted him, according to what they said. There was absolutely no reason why he shot him.

ADV POTGIETER: Thank you very much.

DR RAMASHALA: Ms Mangaliso this question is for you. You witnessed a horrendous act, I'm just wondering what the impact of all of this has been on you. Your health, your emotions, even your sleeping patterns?

MS MANGALISO: There are a lot of changes like I now have develop a tendency of begrudging people and I am nervous and I don't feel comfortable.

MS SEROKE: All right, [indistinct]

MS MANGALISO: Yes, I'm quite well.

MS SEROKE: \Nonceba after you'd given your statement about the killing of Mr Kratshi did De Villiers try to ill treat you about that?

MS MANGALISO: No, he did not but I could see that where ever she - he saw me because I was working at the Wimpy and he was not aware and one time he came with his wife and I was not in for a short while. Then I heard some people calling me from that café and I went into the Wimpy and I stood next to the self-serve and he was just about to eat but as soon as he saw my face he wouldn't eat. And then the wife asked why he was bothering himself about all that and not eat and then he said to the wife: **Hurry up so that we can leave.** So he left without eating his food because he had seen my face.

MS SEROKE: Since you were a neighbour to Mr Kratshi and who also was the eye witness of this killing, is there any help you could offer if you were to get some money as to help Simphiwe and the grandmother. Since you were people who had been neighbours who were in good relations together with this family?

MS MANGALISO: You mean it money could be available, yes a lot. Especially to Simphiwe because my wishes are that Simphiwe should be like his father. We are not trying to buy favor by saying that his father was a good man.

MS BURTON: I'm going to ask Dr Ramashala to thank you both then for coming to talk to us today.

DR RAMASHALA: When the live of a young child is changed, it does something to me. Mr Mangaliso - Ms Mangaliso let me start with you and say it is not very frequent when a neighbour stands up even to scream to provide assistance for a neighbour. You took a chance by screaming when the police were beating on your neighbour, Mr Kratshi. I think that today you show your concern about asking for assistance for Simphiwe. In fact what comes across is that you regard him as your own son.

To Simphiwe I'd like to say when everybody else's child in South Africa was going to school, African children were dying in the streets on the way to school, on the way back from school. In your case, Simphiwe, you lost your father, your roll model, your supporter and like most of the children who's parents perished in the struggle in South Africa, you were left without that close support.

You have stated yourself how this has affected you, we are unable to determine what tomorrow could have been for you. Maybe today but we are hoping that tomorrow will be a little better for you. I know you sound like you despair, I know it seems like since your father's death nobody cares and I know you think that your live is like a treadmill, may I say that you are only 17 and that this is a new South Africa and in my fantasy with new opportunities.

It is not a disgrace to go back to school at the age of 17 even to go back to standard 6. I think you should raise your horizons, you don't have a father yes, but you have the support of the greater South African community. I think you need to look to South Africa - your great community to provide you with assistance so that you can realize your dreams. I personally would like to say we're going to explore possibilities for counseling for you so that we can rid you from that despair.

I know you're wondering and saying why me, why did I loose my father, there are thousands of children like you in South Africa who lost their fathers and their mothers. If I can just give you a little bit of hope and say that we are going to carry forward this recommendations and be a part of your live from today. And see if we could touch you just that little bit to make a difference, thank you very much.

MS BURTON: Thank you, you can leave the stage now.

That brings us to the end of the cases that we are to hear today and in Beaufort West. We have heard in these past two days many accounts of pain, of ongoing suffering and indeed sometimes of much anger. We've heard of the long term effects on people's lives and on those of their families. Lives disrupted, families damaged, children's futures blighted and employment denied to people, sometimes on suspicion that they were politically involved.

Yes, we live in a new and changed society and there are new rolls for people - we think of Mr Lolwana and his roll now as a Deputy Mayor, but we've seen that there are old wounds with barely healed scares.

We heard the stories of elderly men, who after more that 20 years still carry the mental and physical damage that they suffered. And we have heard of ongoing conflict in some places where people somehow have managed to go on living together even after dreadful experiences. But true reconciliation seems far out of reach.

We've heard much anger directed at members of the police and it must be very difficult for members of the SAPS, especially those who are working here to protect us in this hall, to listen to all of this. It's difficult too for people who have suffered to see those who caused them suffering in all the time that we have heard from in these last two days, seeing those people who hurt them continue to occupy position of responsibility.

Now I think I'm right in saying that all of the stories we have heard stem from - except for the - the member from Victoria West, who told us about events there in the 60's - the other cases all come from the period of the State of Emergency. And it was very interesting to me to see that some people were detained on the 12th of June of 1986. If I remember correctly that was the date of the proclamation of the National State of Emergency. So one has the sense that there was a feeling that now with the provisions of the State of Emergency it is possible to act against people no longer abiding by the term of the rule of law.

And perhaps that's one of the lessons that we have to learn that we never again want a situation where people can act with impunity and have people in their power because that leads to dreadful deeds. We have somehow to try and understand even then how and why things happened. I think that the - the policemen who was found to have shot Mr Kratshi was 23 years old at the time. What happened to young people to make them behave like that, how can we understand what was in the minds and hearts of people who were so fearful of the resistance ranged against us - against them, that they acted in that way.

I believe that part of our task as Truth and Reconciliation Commission is to help us all so to try and understand one another that we can get over the deep gulfs. ...**END OF TAPE 4, SIDE B...**