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### **Evidence of State Sanctioned Hit Squads**

South Africa's apartheid-era government was far-reaching and omnipotent. From the highest levels of the government, including the State President, to young 'instant constables,' the state exerted its authority by whatever means necessary. One of the most dangerous and secretive branches of the government was the 'Third Force.' This mysterious entity was named so vaguely because very little was known about it until after the end of apartheid. Even then, the Truth and Reconciliation Committee (TRC) was reluctant to acknowledge its existence. The African National Congress (ANC), including its leader Nelson Mandela, was certain of its existence. In his autobiography, Mandela described the force as a group 'of renegade men from the security forces who were attempting to disrupt the negotiation [process]' (Mandela, 1994). So convinced of its detrimental effects, Mandela declared 'that they were murderously effective in their targeting of the ANC and the liberation struggle' (Mandela, 1994). Furthermore, Mandela maintained, 'that men at the highest levels of the police and the security forces were aiding the Third Force' (Mandela, 1994). With the benefit of time and through the revelations of Dirk Coetzee and Eugene de Kock at the TRC, the extent to which the government aided this ruthless covert force, both financially and tactically, is now evident.

Although both Coetzee and de Kock, along with others in similar positions, made comprehensive confessions about their crimes and the involvement of higher-up officials in the government, the TRC only peripherally alluded to the Third Force in its final report. The TRC did acknowledge the escalating violence, the '4756 people [who] were killed between July 1990 and June 1993 alone,' and the 'frequent allegations about the role and complicity of elements within the security forces' (Truth and Reconciliation Commission, 2003). Without recognizing

these consequences of the Third Force, the TRC would have lost credibility and legitimacy from the viewpoint of the victims and their families. Similarly, the TRC noted the ramifications ‘of ‘third force activities’ [which] in no way account for all or even the bulk of violent incidents during this period, [but] these attacks were particularly significant as they appeared to be largely indiscriminate, and consequently spread terror amongst hundreds of thousands of township residents’ (Truth and Reconciliation Commission, 2003). The effect the Third Force had on South African citizens was important to highlight because individual cases easily could have been lost in the reconciliation process. Instead, the TRC succeeded in addressing thousands of people’s claims and complaints. Additionally, the TRC’s description of the Third Force’s tactics as ‘largely indiscriminate’ is important because similar language was used in the TRC’s amnesty decisions regarding de Kock’s applications. Despite these successes by the TRC, many were ultimately disappointed by its final statement about the Third Force. The TRC wrote that it

*‘finds that, while little evidence exists of a centrally directed, coherent or formally constituted ‘Third Force’, a network of security and ex-security force operatives, frequently acting in conjunction with right-wing elements and/or sectors of the IFP, was involved in actions that could be construed as fomenting violence and which resulted in gross human rights violations, including random and target killings.’ (Truth and Reconciliation Commission, 2003).*

This vague language seemed to pardon powerful state officials, up to the highest level, because the TRC lacked the evidence to indict men such as P.W. Botha and F.W. de Klerk. Even testimony from figures like de Kock, who explained that Vlakplaas activities were ‘known about, approved and even encouraged by senior police officials,’ was not substantial enough for the TRC (Truth and Reconciliation Commission, 2003). Its ambiguous statement demonstrates that despite testimony from lower-level officials, the TRC was hesitant to connect the Third Force to the country’s highest officials.

One of the most notorious examples of the Third Force was the Vlakplaas ‘hit squad.’ Begun in 1981 as a response to growing armed resistance from anti-apartheid activists by state security officials Dirk Coetzee, Jan Viktor and Jac Buchner, Vlakplaas was a farm-turned-training base for elite military forces. Described as ‘the picture of tranquility’ by psychologist and visitor of the military base Pumla Gobodo-Madikizela, Vlakplaas ‘was the ideal setting for the concealment of some of the more gruesome schemes that the apartheid government constructed as part of its plan to destroy the bodies and minds of its enemies’ (Gobodo-Madikizela, 2004). At this rural farm in Pretoria, South African policemen were taught how to abduct and kill people who threatened the apartheid government’s stability. In addition to training Afrikaner nationalist forces, Vlakplaas used ‘former guerrillas from the African National Congress, nicknamed “askaris,” who had been recruited to fight their old comrades’ (Wren, 1989). In an effort to convert these former liberation fighters, the apartheid government used Vlakplaas as a ‘rehabilitation farm’ for former ANC and Pan Africanist Congress (PAC) members (Magubane, 2010). This unit comprised of askaris and led by Coetzee was specifically called ‘C1’ and was the most destructive unit within Vlakplaas (Who Lied?: A Discussion of the Findings of the Harms Commission of Inquiry, 1990). Beyond its domestic terrorism, Vlakplaas forces also conducted raids into Swaziland and Mozambique to attack and abduct Umkhonto we Sizwe (MK) members training abroad. From its inception in 1981 to its termination with the end of apartheid, Vlakplaas was a symbol of the cruelest and most disturbing consequences of the apartheid government’s brutal authority.

Two men who rose to infamy because of their careers at Vlakplaas, Dirk Coetzee and Eugene de Kock, committed atrocious crimes against humanity under the guise of maintaining state security. Their testimony at the TRC revealed the truth and confirmed speculation that the

apartheid government supported and aided their human rights abuses. de Kock was the commander at Vlakplaas after Coetzee and during the apartheid regime's most brutal years. Both men killed dozens of people, injured more, and left legacies of hundreds of victims. Following the end of the apartheid state, Coetzee and de Kock testified before the TRC in order to receive amnesty for their crimes. According to the *Promotion of National Unity and Reconciliation Act*, amnesty was only granted for crimes with 'political objectives committed in the course of the conflicts of the past' and 'to persons who [made] full disclosure of all the relevant facts relating to acts associated with a political objective' (Government of South Africa, 1995). These two main requirements obliged applicants to reveal their full involvement in crimes that were politically motivated. The latter requirement was more difficult to determine, however it prevented many applicants from receiving amnesty, including de Kock. Despite the similar nature of the crimes committed by both Coetzee and de Kock, the TRC ruled that some of the crimes de Kock applied for amnesty were not politically motivated.

Coetzee's life prior to joining Vlakplaas prepared him to enter a world filled with violence, secrecy, and abuse. At eighteen years old, he began working at the Post Office, specifically the Investigation Branch (Sanders, 1999). From there he entered the South African Navy and joined the police, trained as a dog handler and scuba diver (Sanders, 1999). During his training at the Police College in Pretoria, Coetzee attended propagandistic lectures against the ANC about its use of 'subversive and banned literature that ordinary citizens could never see' (Sander, 1999). These formative years in Coetzee's life undoubtedly shaped his opinion towards the anti-apartheid cause. After only four years as a police officer, Coetzee 'was recruited to the Security Police and posted to the Swazi border post of Oshoek [where he] swiftly adjusted to a world of "dirty tricks" (proactive attacks on ANC supported living in Swaziland, including

bombings) and petty crime' (Sanders, 199). This promotion marked the beginning of Coetzee's descent into the dark world of the Third Force.

With regards to the mandate's requirement of full disclosure, Coetzee demonstrated his cooperativeness seven years before the TRC began during the Harms Commission. The Harms Commission was set up by 'State President FW de Klerk on February 2 1990 to inquire into alleged murders and acts of violence committed in South Africa (including the self-governing territories) with the aim of bringing about constitutional change' (Who Lied?: A Discussion of the Findings of the Harms Commission of Inquiry, 1990). Although the Commission itself yielded no significant reparations, Coetzee's honesty and candor helped his amnesty application because he had established his willingness to be cooperative. With regard to Coetzee's and his colleagues' testimony, the Commission found 'Nofomela's and Coetzee's version as a whole...fabricated' (Who Lied?: A Discussion of the Findings of the Harms Commission of Inquiry, 1990). In actuality, Nofomela and Coetzee were truthful, but their confessions were dismissed because of corruption within the government (Who Lied?: A Discussion of the Findings of the Harms Commission of Inquiry, 1990).

Coetzee applied for amnesty for three separate events. His most well known crime was the murder of Griffiths Mxenge, who was stabbed to death on 19 November 1981 (Coetzee Amnesty Decision 041). Coetzee and his co-applicants, David Tshikalange and Butana Almond Nofomela, testified in Durban from 5-7 November 1996 and in Johannesburg from 20-23 January 1997 about their involvement in the crime. Mxenge was 'a highly respected attorney who had appeared for many ANC men,' most likely motivating the men in their crime (Mandela, 1994). Coetzee stated that he received explicit orders from Brigadier Jan Van der Hoven to 'make a plan' regarding Mxenge because he 'was a thorn in the flesh [of the apartheid

government] because he acted as instructing lawyer for all ANC cadres' (Statement from the TRC on Amnesty Granted to Dirk Coetzee, 1997). Coetzee's testimony clearly indicated a political motive, fulfilling one of the TRC's requirements. To avoid ambiguity, Coetzee continued that his orders 'mean[t] one thing only: Get rid of the guy, kill him. Nothing else, but murder him, kill him.' Furthermore, Coetzee was instructed 'Don't kill him with a gun and don't let him disappear.' Coetzee's total forthcomingness, while graphic, helped his amnesty application. When asked if he perceived these instructions to be an order, Coetzee responded, '[t]hat is correct. In short, yes.' (Statement from the TRC on Amnesty Granted to Dirk Coetzee, 1997). For these reasons, it is evident that Coetzee fulfilled the first part of the TRC's mandate.

In their decision to grant Coetzee amnesty, the TRC reiterated all of these facts as evidence for their ruling. On 5 August 1997, the TRC stated,

*'Brigadier Van der Hoven [commander] called [Coetzee] to make a 'plan' with Mxenge. He understood this to mean that he was to make arrangements to eliminate Mxenge. He was told in very brief terms that Mxenge, who was the victim in this application, was an ex-Robben Island prisoner and was an Attorney practising in Durban' (Statement from the TRC on Amnesty Granted to Dirk Coetzee, 1997).*

As a result of his obvious political motivation, the TRC reached the conclusion that 'from his evidence and from the evidence of the other two applicants, that they considered this to be an act performed as part of their duties as policemen on the instructions of senior officers' (Statement from the TRC on Amnesty Granted to Dirk Coetzee, 1997). Undoubtedly some South Africans were angered by Coetzee's receiving amnesty, but he demonstrably fulfilled the TRC's requirements.

Like Coetzee, de Kock's early life led to his repugnant and vicious practices as a security official. de Kock's father was a member of the Afrikaner nationalist group 'Broederbond.' This organization developed and propagated racist apartheid rhetoric and beliefs. Growing up around

such extreme politics and ideas, de Kock undoubtedly absorbed the group's viewpoint. de Kock joined the South African Police when he was only nineteen years old. As a member of the police force, he 'was indoctrinated in a "culture of hatred"' (Sanders, 203). de Kock joined Vlakplaas in 1983 and became commander of the unit two years later (Sanders, 204-5). Once he became the leader of the group, Vlakplaas 'branched out into all kinds of murder and mayhem' (Sanders, 205). It was this 'murder and mayhem' that led to de Kock being branded as 'Prime Evil.' Nearly twenty years later, in 2001, de Kock applied for amnesty for twenty-six different crimes. Despite being pardoned for a majority of his actions, the TRC refused five of his applications. All five were denied for similar reasons, mainly that the offenses had not been politically motivated.

On 14 August 1986, a group of MK operatives was killed at the border between Swaziland and South Africa. Eleven men, including de Kock, applied for amnesty in these murders. The TRC was 'satisfied that the applicants...made full disclosure of all relevant facts,' thus fulfilling part of the mandate (de Kock Amnesty Application 148). Additionally, the TRC concluded that the murders of the MK operatives were 'acts committed against members of an opposing liberation movement and were regarded by De Kock as necessary in order to prevent further acts of violence' (de Kock Amnesty Application 148). By this explanation, de Kock would receive amnesty for this crime. However, de Kock also ordered one of his men to kill the driver who had informed on the MK group because he 'did not trust him and...had fears that he might "sell them out"' (de Kock Amnesty Application 148). de Kock's comrades agreed with this decision. However, the TRC had 'difficulty with this contention [because] [t]his informer had, on the evidence, co-operated with the police previously. He co-operated fully with regard to this incident and there appears to us to have been no reason why he should have been killed' (de

Kock Amnesty Application 148). The TRC decided that de Kock did not 'need' to kill the driver as part of his mission. Instead of being politically motivated, the TRC amnesty committee considered this crime indiscriminate killing, a characteristic of the Third Force.

A similar example was the killing of 'ANC members [who] were planning to execute a robbery on behalf of the ANC' (de Kock Amnesty Decision 171). In criminal court, de Kock was arraigned and convicted on five counts of murder for killing Oscar Mxolisi Ntshota, Glenack Masilo Mama, Lawrence Jacey Nyalende and Khona Gabele, and Tietsetso Leballo on 26 March 1992. de Kock believed that all the victims had received extensive military training and that the men were planning to commit a crime against the government. He and fellow colleagues, whom de Kock 'enjoyed [having] implied authority' over, applied for amnesty from these charges in May 2001 (de Kock Amnesty Decision 171). As was a customary practice for the Vlakplaas unit, one of the bodies was disposed of through the use of explosives. In his testimony, de Kock conceded that other measures could have been taken other than their gruesome practice. With regard to these murders, de Kock and his colleagues were denied amnesty because they were not 'acts associated with a political objective as envisaged in the Act,' 'the offences were not directed against political opponents as required by the Act and the killings were grossly disproportionate' (de Kock Amnesty Application 171). Because the Vlakplaas men 'could have been misled by the information furnished about the would-be robbers,' other preventative measures could have been taken besides murder (de Kock Amnesty Application 171). The TRC ruled that the Vlakplaas unit acted on too little information for this to have been a credible threat. These tragic deaths provide an example of the type of senseless killing that occurred because of the Third Force.

Similarly, de Kock's application for amnesty for a Vlakplaas operation that went wrong

was denied because the TRC differentiated between necessary and unnecessary killing. After learning of the 'Meyer group,' a 'group of trained MK members intending to infiltrate South Africa with the intention of launching attacks on the Orange Free State, including the detonation of a bomb in a shopping mall,' the Vlakplaas unit attacked the group during a party at a house in Lesotho on 19 December 1985 (de Kock Amnesty Application 231). The Vlakplaas unit received information 'that some people had arrived at the party unexpectedly and were innocent people. It seems that these were local Lesotho citizens' (de Kock Amnesty Application 231). Obviously, the killing of innocent civilians was not part of the Vlakplaas mission. In an effort to avoid innocent casualties, the attack was temporarily delayed until its members believed 'only MK members would be there in the house' (de Kock Amnesty Application 231). de Kock and his men maintained that 'only the persons in the house were to be attacked with the proviso to avoid killing others not connected to the group if possible' (de Kock Amnesty Application 231). However, this proviso did not prove to be enough. The first murder was committed when, on approach to the house, de Kock 'observed a person come out of the house and bend at the motor vehicle parked outside the house...and shot this person twice in the head as a result of which the person died' (de Kock Amnesty Application 231). His victim was Nomkhosi Mary Mnisi. de Kock then entered the house and killed six more people. The TRC determined that the murder of Nomkhosi Mary Mnisi was not politically motivated because de Kock 'was aware that arrangements had been made for people who were not supposed to be there to leave [and] that it was not necessary to shoot at anyone who was not inside the house [because] nothing could have led him to believe that the person next to the motor vehicle should be killed' (de Kock Amnesty Application 231). This type of scrutiny regarding the crimes committed over a decade before demonstrates how carefully the TRC handled each victim. However, de Kock and his men did

receive amnesty for the murders of members of the Meyer group. This event clearly shows how the TRC defined different types of murder according to its mandate.

One of de Kock's most notorious crimes was the kidnap, torture, and murder of Japie Kareng Maponya on 25-26 January 1985. Maponya was kidnapped on his way home from work and 'then taken to Vlakplaas where he was interrogated. The interrogation lasted approximately half an hour and during the course of which [Maponya] was severely assaulted' (de Kock Amnesty Application 272). After beating and spraying Maponya with tear gas, de Kock called off the interrogation, realizing no reliable information about Japie Kareng Maponya's brother, Odirile Meshack Maponya, whom the Vlakplaas men were really after, could be procured. After holding Maponya in custody for one day, de Kock and his men took Maponya to the South Africa-Swaziland border. de Kock's comrade, Willem Albertus Nortje, 'struck [Maponya] on the head with an Uzi submachine gun. [Maponya] fell to the ground. [Nortje] then tried to shoot [Maponya] with the Uzi but it had jammed and did not work' (de Kock Amnesty Application 272). After Maponya attempted to stand up, de Kock 'hit him with a spade' and then Nortje finally 'shot [Maponya] in the head using a pistol which was loaded with a subsonic round' (de Kock Amnesty Application 272). Although these details seem graphic, applicants were required to provide as much detail as possible. The TRC's decision clearly states that Maponya 'was not a political activist' (de Kock Amnesty Application 272). Instead, as the judge at de Kock's criminal trial stated, Maponya's 'only crime was that he had a brother who was an ANC member who was being sought by the police' (SAPA, 1996). The TRC cites

*'Section 20(2) (b) of the Act [which] provides, inter alia, that the offence for which amnesty is applied should have been directed against a publicly known political organisation or liberation movement engaged in a political struggle against the State or against any members or supporters of such organisation or movement' as the standard by which its decision was made (de Kock Amnesty Application 272).*

In this case, Maponya was not a supporter of a publicly known political organization or liberation movement. Similarly, 'Section 20 (3) (d) directs [the TRC] to take into consideration whether the offence was primarily directed at a political opponent or a private individual' (de Kock Amnesty Application 272). The TRC decided

*'in this matter it may be said that although the victim of the interrogation was not a political opponent, the objective was to extract information for use against a political opponent. However, the killing of [Maponya] was not an act against a private individual and was not directed against a political opponent. The motive for the murder was nothing more than the protection of themselves and the Security Branch, in particular Unit C1' (de Kock Amnesty Application 272).*

Like his other applications for amnesty, de Kock was denied amnesty for this crime because it was not politically motivated. The TRC carefully enforced this stipulation of its mandate and, in doing so, refused de Kock's application.

When comparing Coetzee and de Kock, their early lives and professional histories seem similar. They were both members of the mysterious Third Force, commanders of Vlakplaas, and committed crimes against humanity. However, Coetzee was granted full amnesty and de Kock will remain in jail for the rest of his life. The difference in the crimes they committed were subtle, but enough for the TRC to differentiate their cases. Some of de Kock's actions were not directly politically motivated, as required by the TRC's mandate to receive amnesty.



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