



## **Michael Phama/** Phola Park

Michael Phama was one of the participants in the Katorus workshop. Unlike other participants, a version of Michael Phama's involvement in the East Rand violence has been thoroughly documented-- in court records and police files, in the TRC process, and later, in amnesty hearings. However, none of these carry his voice on his own story.

Within the workshop process, Michael opted not to draw pictures, but rather talked (through an interpreter) to the facilitator about issues he wanted to bring up; he then discussed with the workshop the points he had raised. He did not talk about his own experiences during the workshop. However, after the process, he agreed to be interviewed at length.

## **The official version: according to press, court case, TRC and amnesty hearings**

First incident:

Michael Phama was a member of the Phola Park Self-Defence Unit (SDU), one of the semi-military groups loosely linked to the ANC who organised to protect communities from attack. In September 1991, his unit heard that IFP supporters were planning to hold a rally at the Thokoza Stadium. The four SDU members positioned themselves outside the stadium, and opened fire on the Inkatha supporters as they were marched down the road to the peace rally. Twenty-one IFP supporters died.

In November, police produced an identikit of one of the gunmen, showing a man who had one eye. After a massive police hunt, Michael Phama -- who has one eye -- was arrested (some eight months later, in June 1992). Upon his arrest, police claim he signed a confession before a magistrate, in which he admitted to being a member of the SDU and to attacking a peaceful Inkatha rally; as well as participating in two other shoot-outs with police, in which several police were killed.

At the trial Michael denied making the confession: he claimed that the confession was an incorrect translation by a Zulu police translator of a statement he had made in Xhosa. The judge ruled that the confession was admissible and valid, and refused to allow other evidence. He found Michael Phama guilty of 23 counts of murder. Michael Phama served time in jail from 1993 until 1999, when he received amnesty from the TRC.



The official version of the 8 September shooting claims that four gunmen opened fire on a peaceful crowd of IFP supporters, on their way to a peace rally at Thokoza Stadium. These claims went further: that the shooting was not only unprovoked, but that it was deliberate provocation by "third-force" perpetrators, intended to derail an ANC-Inkatha peace initiative (due to be signed that weekend). In addition, statements made to the Goldstone Commission of Inquiry in 1993, to the TRC, to Michael Phama's trial and his 1999 amnesty hearing (including statements by national leaders of the ANC) further claimed Michael Phama was a police agent.

Michael Phama has consistently denied that he worked for the police.

## Tokoza 'calm and stable' before attack

The situation at Tokoza on the East Rand had been calm and stable before a surprise attack on a group of Inkatha Freedom Party supporters on September 8 claimed the lives of 18 people, the Goldstone Commission into the Prevention of Public Violence and Intimidation was told.

Captain Leon Steyn, the officer responsible for the planning of police actions in the area, testified yesterday that on the day in question the police expected no trouble and were planning to keep a low profile.

For that reason the police also did not act against Inkatha members carrying cultural and other weapons despite the fact that the Tokoza Town Council had placed a ban on such weapons being carried on that day.

The police officer on the scene had the discretion to act and, rather than provoke a reaction from the marchers by confiscating their weapons, he allowed them to continue.

A few weeks later, however, the police confiscated weapons carried by ANC supporters to the funeral of a leader of the

# Gunmen slay 23 Inkatha supporters

810 9/9/91

THEO RAWANA, DAVE LOURENS and TANIA LEVY

AT LEAST 23 people died after gunmen opened fire on a group of Inkatha supporters in Thokoza on the East Rand yesterday, sparking a burst of retaliatory township violence.

Inkatha's Thokoza secretary Abraham Mzizi told reporters that two men opened fire on members of the Hostel Dwellers' Association as they were marching to the local stadium to hold a peace meeting.

Witwatersrand police spokesman Col Frans Malherbe said that at about 10am three men apparently came out of a house and shot at about 300 Inkatha followers. By last night 23 had died. A further 26 were seriously injured.

Malherbe said police found 45 empty AK-47 cartridges at the house. One man had been taken in for questioning.

In apparent retaliatory attacks, Inkatha members making their way home across the East Rand and into central Johannesburg killed at least eight people.

Malherbe said two people were killed at Benrose Hostel in City Deep, two bodies were found on a platform at Park Station, a man was stabbed to death at Joubert Park Station, another two were killed at Tembisa's Delmore Hostel and a man was stabbed to death in Springs.

Pretoria police liaison officer Maj Reg Crewe confirmed that 13 people were killed and 16 injured in Soweto's Mofolo/White City area in an apparent clash between Inkatha Freedom Party supporters and an unknown group of people. The group had thrown hand grenades at Zulus

returning from a meeting in the area. Five Zulus died, and a further eight people died when the Zulus apparently launched retaliatory attacks.

Describing the Thokoza shooting, Mzizi's wife Gertrude, who was driving with him behind the Inkatha supporters at the time of the attack, said she saw a man in a long black jacket come out of the house holding an AK-47 rifle, blowing a whistle.

"As he blew the whistle, other men came from other houses and they also had rifles ... then they started shooting. The gunmen seemed to be firing at the hostel dwellers ... many people fell. Shots also came our way. A bullet hit the door of our car and we fled," she said.

A tense situation developed later as Inkatha members, escorted by soldiers, marched down the main street from the vicinity of the attack to their hostel.

Inkatha supporters, some armed with sticks, spears and axes, stopped and searched cars. Malherbe said police had stopped them doing this.

ANC PWV spokesman Ronnie Mamoepa said the violence, while very serious, should not derail Saturday's peace conference at which government, the ANC, Inkatha and other groups were expected to sign a national peace accord.

ANC deputy president Walter Sisulu strongly condemned such action against Inkatha members, adding that the violence

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## R25 000 reward for information on crimes

As violence continued to spread across the Reef today, the debate continued over whether the killings were sparked off by agents provocateurs bent on torpedoing Saturday's peace pact.

However, the Inkatha Freedom Party yesterday refused to implicate a Third Force or any organisation.

"Officially, in the IFP we don't know. We are not accusing the ANC," said national chairman Dr Frank Mdlalose.

The violence spread to Alexandra, north of Johannesburg, last night. One man



Identikit ... one of Sunday's three Tokoza gunmen.



Second incident: Michael Phama was found guilty for a second incident, which occurred on 27 February, 1992. Phola Park SDU members attacked and killed several men in a grey kombi. Press reports of this incident said that the men in the kombi had previously shot at people on the street; the residents had identified the van and noted its registration number. Some witnesses said that one of those killed was a white man. At Michael's trial, police claimed this was an unprovoked attack on innocent Zulu workers who were taking a taxi to work.

Michael's version of this incident, given in the 1999 amnesty hearing:

"We sent some youth to go and check this taxi, the taxi that shoots at the people in the morning, the colour and the registration number. They came back and said it was a kombi with the colour of this steel, the one that is on the floor (grey)... We told them to go away because we did not want them to know what was our plan concerning this kombi. ..."

- Amnesty hearing for Michael Phama, 22 June 1999 (Day 2) - p17

Third incident: Phola Park SDU members were in a shoot-out with police at a roadblock. Michael claims he was not present during this, although, had instructed the SDU members (who had gone to find guns for the unit) to fight back if apprehended by police. However, Michael was charged with these shootings and found guilty.

Gunmen target suspected 'train attackers'

# Four killed in ambush

FOUR men, believed to have been on their way to attack train commuters, were killed and five others injured during an early-morning ambush on a van in Tokoza on the East Rand yesterday.

By IKE MOTSAPI

Witnesses at the scene claimed the group included two white men - one of whom is believed to have died on the spot - but police have denied this.

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Another witness, who declined to be named, last night corroborated the version of other witnesses, saying he was "absolutely sure that I saw the body of a white person".

He told Soweto the body of a white man wearing a blue shirt was among the slain men. Police have dismissed this as speculation.

This brings to 16 the known number of people killed in violence throughout the country since the weekend.

Yesterday's incident occurred about 7am, when three men fired shots at a panel van travelling near Angus railway station at Phola Park, Tokoza.

One of the men has been identified as Mr Thabo Shabangu of Mshayazafe Hostel and the three others have not yet been identified.

Shabangu was the driver of the "death kombi", according to Mr Isaac Ndzipho, who said the man was his neighbour at the hostel.

West Rand police spokesman Captain Eugene Opperman confirmed the incident.

He said unknown men opened fire at a white panel van with the registration number JYV-0281.

Opperman said the four men died instantly.

The injured were taken to hospital by ambulances which had rushed to the scene immediately after the

attack.

He dismissed rumour-mongering at Phola that two white men were allegedly in the "death kombi" had been killed.

He said police could confirm reports that men "were stopped at their trucks" while en route to attack train commuters at Angus station.

"Police have in the session stationed under oath train witnesses and investigations are still continuing," Opperman added.

However, some messes, who declined names, told Sowetan on Tuesday night that Phola Park knew an impending attack on train commuters.

## In Michael Phama's words

translation, NomaRussia Banara; transcription J. Seidman, October 2007

My name is Michael Phama (ID No 481010561080). I was born in 1948 at Tsomo District in Eastern Cape, Transkei. My human rights were violated by the apartheid regime in many different ways and on many occasions.

I am uneducated due to the fact that my father was earning peanuts. I grew up beginning as a shepherd and providing security looking after my father's stock and my family while my father was a mineworker.

I went for employment by joining TEBA and worked in Crown Mines under difficult conditions: unsafe underground work for long hours. I initially joined for six months, but the mines extended my contract after I came up with new ideas to help with mine safety. I earned R10 per month in that job.

In the 1970s I was in Alberton working as a temporary worker for almost six years. I was unregistered, and a hostel dweller; the municipal police arrested me several times for pass and permit offences.

The worst incident which traumatized me occurred in 1976 during that time of black power uprising. I had organized a soccer team. I heard that one of my soccer players was killed by white police near Nkaki Street in Thokoza on his way to practice. When I heard the bad news that same day I went to the scene, together with two other men, to see his body and arrange for its removal. This was on a Friday. The police refused to let us see the body; the white police beat me almost to death on the scene where my player's body was lying. As a result I slept at Natalspruit Hospital for almost three months; my right eye was totally damaged by



# 'Evidence was distorted'

By MARTIN NTSOELENGOE

AN ANC supporter told the Rand Supreme court this week how two "racist" magistrates on the East Rand "distorted and altered" statements he had made before them.

Michael Phama, 45, formerly of Phola Park, told Judge MC De Klerk that two court interpreters had also misinterpreted what he told the magistrates. Phama said the interpreters had spoken Zulu while he had been speaking Xhosa.

Phama is contesting a statement made before an Alberton magistrate last year when he "pleaded guilty" to 21 counts of murder and 24 attempted murders - as well as another statement made early this year when he also "pleaded guilty" to all charges.

were on their way to a rally on September 8 1991.

Inkatha members earlier told the court that they were travelling along Khumalo Street to Thokoza Stadium when they followed Phama.

After tapes were checked by a magistrate, senior court officials from the state prosecutor's office and the police were told that Phama had shot dead IFP supporters two years ago.

## Phama guilty on 21 murder counts

By Mzimase Ngudle

**A**FRICAN National Congress member Michael Phama was yesterday convicted in the Rand Supreme Court on 21 counts of murdering Inkatha Freedom Party supporters two years ago.

Phama was found guilty of having shot dead IFP supporters who were marching to a rally at the Tokoza Stadium on September 8 1991.

Mr Justice MC de Klerk found Phama guilty on 21 counts of murder, acquitted him on charges of attempted murder and illegal possession of firearms and ammunition.

The court adjourned to July 26 after Phama's pro deo counsel, Mrs Rehana Issack, asked for time to consult two experts to give evidence in mitigation.

Issack said the defence would call a clinical psychologist, Dr Karin Oosthuizen, and Dr Mamphela Ramphele, an expert on violence who is

## RALLY-BOUND Convicted of dead IFP supporters in September

also deputy vice chancellor of the University of Cape Town.

She said Oosthuizen had said she would require considerable time to conduct tests on Phama before compiling her report.

Replying to the State's objection to a postponement of the trial for two months, Issack said the period was not long taking into account the relevance of evidence to be led by the two experts.

Giving reasons for his judgment, De Klerk said the confession Phama made to an Alberton magistrate showed that Phama did commit the offences. He found that Phama made the confession voluntarily and without fear or coercion.

Phama had, during the trial, denied all the admissions he made in the confession.

In the confession, Phama said he had shot dead IFP supporters on September 8 1991.

The judge ruled that the confession as had been made by Phama was a confession as had been made by the defence lawyer.

In his four-hour judgment, the judge delved into the fact that Phama was Xhosa-speaking, understood Zulu interpretation and made a confession to a magistrate.

The judge rejected Phama's claim that he was at a residence at the time of the attack that day. He found the testimony of several witnesses who identified Phama as the person who fired shots at IFP supporters.

However, he found that Phama's confession made by Phama directed at the IFP supporters with perpetrations for the

**Trial and sentencing: Michael Phama was found guilty and sentenced in June 1993 to life imprisonment for each of the 21 murder counts -- an effective 192 years in prison for the 16 attempted murder counts, and 10 years in prison for unlawful possession of arms and ammunition. He remained in prison until granted amnesty by the TRC Amnesty Committee in 1999.**

police and removed. My player was buried while I was in hospital.

I was finally registered by the company in 1977 and the issue of passes and permits was resolved.

Then in the 1980s the problem was the State of Emergency. I was once again beaten by soldiers during this time.

The years of the 1990s turned my life into misery until today. In the 1990s here in the East Rand (Ekurhuleni) there was political violence which changed our lives altogether. Our daily bread was gunshots. We couldn't sleep, eat, wash, work; our food and water were to see blood and dead bodies, corpses. I had no choice but to be employed in the company called "defend yourself, family and community" in the East Rand; my salary was

death either on the scene or in jail

The political violence in the East Rand started as follows - which was caused by the apartheid regime:

*(The details of Michael's story of the 1990s, and the formation of the Phola Park SDU, are found in pages 14-15 of this publication. We resume in 1991:)*

In early 1990: There was a time when all the leaders of political parties affected called for peace. The meeting was going to be held at Thokoza Stadium. Cde. Mandela, Chief Mangosuthu and Brig. Bantu Bonke Holomisa were to start at Mtshayazafe hostel. Cde Mandela was not allowed to enter the hostel by the IFP members.





**Michael Phama recalls the previous "peace rally" at Katlehong, in April 1991, which was followed by an attack on Dunusa Squatter Camp in which six people were killed (according to the press.)**

As the ANC from Dunusa, we could not manage to go to the stadium; our traditional weapons were taken by the police. They knew that always we were attacked by soldiers and police. We heard that all the hostel dwellers from all hostels were in the stadium with their weapons.

The leaders who came to us were the ANC leaders (Cde Mandela and Holomisa). Chief Buthelezi refused to come to us.

After that Peace Campaign, the violence was worse: taxi routes, no-go areas, and boundaries were developed as the number of killings, disappearances and injuries increased on a daily basis. Houses, shacks and property were vandalized. Mortuaries were full with black people and white soldiers.

In Dunusa after that "Peace" all the Xhosa speakers and a person with 9 1/2 fingers (*inqothi*) were taken to the hostel and killed in trains and taxis all over. This is when we separated the taxis. The location and Dunusa people must use taxis, and the Angus route to wherever.

*"The information we received was that the intention of this rally was to kill the community and to take over and own all of Katorus."*

The community from Phenduka Section in Tokoza fled their houses; others were forced to join IFP; and the houses remaining were occupied by IFP members. The boundary which separated us from them was down Buthelezi Street.

*"Then we sat down and planned: that they won't jump the boundary. The won't own Thokoza; they would only own Phenduka."*

8 September 1991: The IFP members called a big rally which included IFP from different hostels in Gauteng (according to our information some were brought from KZN) called for the job. The information we received was that the intention of this rally was to kill the community and to take over and own all of Katorus.

Then we sat down and planned: that they won't jump the boundary. The won't own Thokoza; they would only own Phenduka.



We also received information that because they knew they might be attacked, their plan was to force the youth from Thokoza to go in front of the group that was going to the stadium, and the hostel dwellers would follow when they saw that the youth were not attacked.

Then I positioned myself in a position to fight and defend my community for the last time. I was there to die for my community and for my organization, the ANC, and for a better future for my family and for democracy for the nation. I was prepared to die or go to jail or receive the death sentence.

I allowed the youth to pass that area; I fired at the second group. By that time they also fired at me – in vain. But I did not know how many people were killed and injured as the situation was tense then.

1991: Some soldiers were identified who raped some women; but the women could not speak (*to the public and the press - ed*). After this, the SADF was removed, and the 32 Battalion was introduced.

27/05/1992: I was shot by a white Benoni policeman, a “Brixton” (*a township term derived from the notorious Brixton Murder and Robbery Squad police*) who came wearing brown hats and brown lumber jackets. The four bullets penetrated different parts of my body, and one stuck in my right arm (it was removed in 2006).

28/05/92: On the 28th my brother took me out of the hospital for safety, as the Brixtons (the white Benoni police) wanted to kill me while in hospital to hide the evidence.

30/05/92: From there they victimized my family by beating my wife, and broke my property on several occasions. They took my marriage certificate and got my ID document and put me in Crime Stop. They accused me as the person who made Dunusa and Thokoza an ANC stronghold, and of fighting against the army and police.

24/10/92 I was arrested in Carletonville and the white Benoni police were called and took me to Newlands: two months tortured and questioned.

I was taken to Modapi in January 1993; then in Sun City October 1993. From 1994 to 1995 I was in Maximum Security..

Michael Phama was given amnesty by the TRC in 1999. He was in jail for most of the TRC processes; and no one suggested to him that he might also qualify for compensation for any of his injuries from the police.

***“Then I positioned myself in a position to fight and defend my community for the last time. I was there to die for my community and for my organization, the ANC, and for a better future for my family and for democracy for the nation. I was prepared to die or go to jail or receive the death sentence.”***

*Pic: Michael Phama at the Khulumani workshop, with SAHA director Piers Pigou and the child of KSG organiser NomaRussia Bonase.*

