

RESEARCH ARTICLE

# Raids, Resistance, and Retribution: South Africa's Cato Manor Killings, 1960–1

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## Abstract

On 24 January 1960 nine police were killed in the African settlement of Cato Manor when residents turned on officers conducting a liquor patrol. On 5 September 1961, nine men convicted of the killings were hanged in Pretoria's Central Prison. These deaths produced contrasting narratives, one by the apartheid state and then decades later, another by the current African National Congress government. Apartheid police and judicial authorities vilified the accused as the worst kind of killers who wantonly slaughtered the representatives of law and order. Sixty years later, these murderers of the apartheid period were resurrected as martyrs and their remains were interred at Heroes Arch, a resting place for many anti-apartheid activists. Moving past these binary versions allows us to consider a more mundane story that underscores the South African state's commitment to a model of policing that generated an unmatched degree of persecution in colonial Africa.

**Keywords:** South Africa; police; courts; crime; alcohol; apartheid

On 24 January 1960, in Cato Manor, an informal settlement bordering Durban, the largest city on South Africa's east coast, residents turned on police officers conducting a routine liquor raid. Nine police were killed that afternoon, and nine residents of Cato Manor were convicted of murder and hanged the following year in Pretoria's Central Prison. These deaths produced contrasting narratives, one by the apartheid state and then decades later, another by the current African National Congress (ANC) government. The police investigation and subsequent trial were clearly exercises in retribution as the state extracted its pound of flesh for the murder of its agents. The police and judicial authorities vilified the accused African men as the worst kind of killers who wantonly slaughtered the representatives of law and order. The official police history declared that the nine dead police 'had been unable to defend themselves against the naked aggression and blood-lust of the rioters'.<sup>1</sup> Instead of being returned to their families, the bodies of the executed men were buried in Pretoria. Sixty years after the killings, these murderers of the apartheid period were resurrected as martyrs of the anti-apartheid struggle. At the behest of the Department of Justice, their bodies were located, exhumed, and transported to Durban for reburial. In January 2020, family members attended a ceremony in which the remains were interred at Heroes Arch, a resting place for many anti-apartheid activists. Justice Minister Ronald Lamola marked the occasion by declaring, 'It has been 60 years since the death of these nine heroes and... as we return the mortal remains of the nine martyrs to their families, we are reminded that the freedoms we enjoy today

<sup>1</sup>M. Dippenaar, *The History of the South African Police, 1913-88* (Pretoria, 1988), 275.



came at a fatal cost'.<sup>2</sup> In this retelling, the men sent to the gallows were stalwarts of the liberation struggle.

These competing depictions served explicit political agendas. For the apartheid state the police killings confirmed that racial rule was necessary to protect the white minority from inherent Black savagery. However, the nine men it executed may well have been innocent and those who did participate in killing the police officers did so against the backdrop of relentless persecution. For the ANC, appropriating the executed men as heroes in an ANC-led struggle further bolstered its liberation credentials, but the men hanged in Pretoria fit awkwardly, if at all, into the category of freedom fighters. They were either the hapless scapegoats of a racist state bent on revenge or people who, conditioned by unrelenting provocation, spontaneously seized the opportunity to strike back at their persecutors. Moving past these binary versions allows us to consider a more mundane story indicative of the struggles that marked daily life in apartheid South Africa. To the extent that they can be reconstructed from official records, the Cato Manor killings demonstrate how the apartheid state's commitment to raiding generated an unmatched degree of police harassment in colonial Africa.

### Colonial policing

All colonial states had aspirations — labour extraction, economic exploitation, compliance with colonial authority, and especially in settler states, segregation — and the police were a key tool in the attempts to realise these goals. Despite being hampered by budgetary constraints and the resistance of colonial subjects, police intervened in the lives of the colonised, often in devastating ways. Whereas much of the literature concerned with colonial coercion is preoccupied with 'the spectacular violence of war, state terror and capital punishment', Marie Muschalek's work focuses on everyday police violence in colonial Namibia: 'the recurring slaps in the face, the kicks, the beatings, painful cuffing, shoves, and forceful dragging that were a quotidian part of colonial life'.<sup>3</sup> She argues that 'These modes of violent interaction are crucial in understanding the production of colonial order'. The Cato Manor killings serve a similar purpose in highlighting the routine torment Black South Africans endured at the hands of the police. In this instance two spectacular episodes of violence — the initial attack on police followed by the hanging of nine men — provide a window into the mundane and brutal reality that defined much of South African policing.

Colonial regimes across the continent imposed racial legislation, but none harassed and jailed its subjects to the same extent as South Africa. The unprecedented intrusion into the lives of its Black urban subjects arose from South Africa's enforcement ability, the absence of metropolitan oversight that served to restrain settler excesses in other colonial settings, and the level of urbanisation.<sup>4</sup> With a white settler population several million strong and a vibrant mining and industrial economy, the South African state possessed the capacity to relentlessly harry Black urbanites. As a sovereign nation, South Africa was free to enact whatever laws and policies it deemed fit. Moreover, the white supremacist state was obsessed with intimidating a burgeoning population of Black residents in what it considered 'white cities'. These conditions produced a singular level of sustained police oppression and corresponding evasion, defiance, and resistance.

Liquor and pass law enforcement filled South African prisons and caused enormous distress for generations of Black South Africans. By the mid-1950s the South African police were

<sup>2</sup>N. Ndlovu, 'Cato Manor nine laid to rest in Durban', News365, 25 Jan. 2020, <https://news365.co.za/cato-manor-nine-laid/>.

<sup>3</sup>M. Muschalek, *Violence as Usual: Policing and the Colonial State in German Southwest Africa* (Ithaca, NY, 2019), 9.

<sup>4</sup>As David Killingray observed for British colonial Africa, 'Penal policy and practice in each colony always concerned the Colonial Office in London, which sought to ensure that what was done in the Imperial name appeared to be both consistent and humane'. D. Killingray, 'Punishment to fit the crime?: Penal policy and practice in British colonial Africa', in F. Bernault (ed.), *A History of Prison and Confinement in Africa* (Portsmouth, NH, 2003), 98.

averaging 275,000 pass arrests per year. From 1916–81 it is estimated that a staggering 17,250,000 Africans were arrested for pass law violations and, in some periods, liquor arrests surpassed those for pass offences.<sup>5</sup> Every conceivable historical source — archival and government documents, newspapers, memoirs, fiction, and academic studies — indicates that police raids were a ubiquitous menace in Black urban life.<sup>6</sup> Ellen Hellman's classic study of Rooiyard, a tiny inner-city settlement consisting of 107 rooms with less than 400 inhabitants, details the persistent oppression related to liquor enforcement. Because male wages were insufficient to support families 'practically every woman' in Rooiyard engaged in the illicit beer trade. 'Beer-brewers are in continual conflict with the authorities; they are continually being harassed by them... Evasion and dodging of the police have become part of the very fabric of Rooiyard life'. In a twelve-month period spanning 1 December 1932 to 1 December 1933, sixty-five arrests for illegal possession of liquor were made in Rooiyard.<sup>7</sup>

This scale of police intervention stands in stark contrast to other colonial settings in which authorities' efforts to enforce racial legislation were marked by a lack of political commitment and resource constraints. In 1920s–30s Douala, for example, the police force was hindered by a shortage of personnel and basic equipment such as bicycles. French officials sought to stem the illegal movement of Africans to the city by imposing harsh penalties for 'vagabondage'. However, residents of the primary African settlement, New Bell, along with police officers, 'recalled that little was done to convict the masses residing in the quarter without the pass... The laxity of the police force in dealing with vagabondage in New Bell led some immigrants to believe that they did not need the pass'.<sup>8</sup> On Zambia's Copperbelt, colonial authorities passed a 1930 ordinance that restricted urban alcohol consumption to municipally run beerhalls but the expense of enforcement was judged prohibitive until the late 1940s, and even in the 1950s and 1960s police crackdowns never represented a major threat to illicit beer producers or consumers.<sup>9</sup> Police in colonial Malawi regularly raided distillers of illegal liquor from the 1940s, yet the rate of one in 670 Africans serving some form of prison sentence in the late colonial period indicates the authorities' limited reach.<sup>10</sup> Settler colonies that stringently enforced variants of pass laws most closely mirrored the South African situation, but the degree of police intrusion never equalled that of South Africa.<sup>11</sup>

<sup>5</sup>For pass arrests and convictions see: M. Savage, 'The imposition of pass laws on the African population in South Africa 1916-1984', *African Affairs*, 85:339 (1986), 181–205; D. Hindson, *Pass Controls and the Urban African Proletariat in South Africa* (Johannesburg, 1987), 45; D. Posel, *The Making of Apartheid, 1948-1961* (Oxford, 1991), 122; W. Beinart, *Twentieth-Century South Africa* (Oxford, 2001), 205; H. Giliomee and L. Schlemmer (eds.), *Up Against the Fences: Poverty, Passes and Privilege in South Africa* (New York, 1985), 1. For liquor arrests see, P. Bonner, 'Desirable or undesirable Basotho women? Liquor, prostitution and the migration of Basotho women to the Rand, 1920-1945', in C. Walker (ed.), *Women and Gender in Southern Africa to 1945* (Cape Town, 1990), 223.

<sup>6</sup>The list of sources describing the enforcement of racial legislation is much too long to itemise in this article. For a particularly harrowing account of a raid on a family home in 1960s Alexandra, see M. Mathabane, *Kaffir Boy* (New York, 1986), 15–27.

<sup>7</sup>E. Hellman, *Rooiyard: A Sociological Survey of an Urban Native Slum Yard* (Oxford, 1948), 46–7.

<sup>8</sup>L. Schler, 'Ambiguous spaces: the struggle over African identities and urban community in colonial Douala, 1914-45', *The Journal of African History*, 44:1 (2003), 68.

<sup>9</sup>C. Ambler, 'Alcohol and the control of labor on the Copperbelt', in J. Crush and C. Ambler (eds.), *Liquor and Labor in Southern Africa* (Athens, OH, 1992), 346.

<sup>10</sup>S. Hynd, 'Law, violence and penal reform: state responses to crime and disorder in colonial Malawi, c.1900 – 1959', *Journal of Southern African Studies*, 37:3 (2011), 434, 438.

<sup>11</sup>With tens of thousands of yearly arrests for statutory transgressions by the 1950s, Southern Rhodesia did its best to approximate the apartheid regime. Kenya also prosecuted several thousand colonial subjects annually from the 1930s for contravening pass and liquor ordinances. J. Alexander, 'Hooligans, spivs and loafers?': The politics of vagrancy in 1960s Southern Rhodesia', *The Journal of African History*, 53:3 (2012), 347. D. Anderson, 'Policing, prosecution and the law in colonial Kenya, c. 1905-39', in D. Anderson and D. Killingray (eds.), *Policing the Empire* (Manchester, 1991), 194.

## Source material

This article addresses the Cato Manor affair from the standpoint of official documents — a state-appointed commission of inquiry into the police deaths, along with the trial and appeal records of the 26 men accused of murder.<sup>12</sup> In the days following the killings, the state appointed an investigative committee. The chair and deputy chair represented the Department of Justice while the remaining five members were drawn from the South African Police (SAP) and the Department of Bantu Administration and Development. Its terms of reference were ‘To inquire into the occurrences at Cato Manor, to recommend what steps could be taken to prevent a recurrence and in general to ensure improved protection and security for the South African Police in future’. The Committee was in session from February 4–13, during which time its members toured Cato Manor and interviewed twenty individuals — police officers, municipal officials, and civil servants. They examined statements from police officers who survived the ordeal and people present at the altercation that reportedly ignited the attack. In addition, organisations such as the liberal (for its time) South African Institute of Race Relations (SAIRR), and individual residents who served on the Cato Manor Advisory Board, appeared in person and/or submitted written reports addressing the social and economic environment and the state of community-police relationships in Cato Manor. This was the period of high apartheid and the racial assumptions of the committee, made evident in its summary remarks, pervaded the entire proceedings: ‘We are dealing with a section of the population that, to put it mildly, is not yet far removed from the barbarous state’.<sup>13</sup> Thus, the investigation was less concerned with exploring how the conditions that underlay an eruption of homicidal violence might be ameliorated as it was in validating government and police policy and reducing the risks to police carrying out raids. In trial proceedings, African voices were refracted through a white supremacist legal system that excluded most, silenced many, coerced some, and determined what others felt they could say.

This source material is challenging in many respects. Police and government officials were invested in portraying African residents as disorderly, prone to violence, and inherently threatening, and the police force as defenders of a benevolent racial order that preserved the country from chaos. Alongside this obvious bias, the veracity of police and government information about Black life and Black ‘criminals’ is questionable. Working with security police materials, Jacob Dlamini illustrates the slipshod nature of much apartheid-era police work, including supposedly elite units that produced and acted on faulty intelligence.<sup>14</sup> Similar deficiencies undoubtedly plagued more commonplace police records. White officers’ insights into and assumptions about Black communities were superficial and frequently erroneous, not least because of social distance and linguistic shortcomings. They were also coloured by racism, and often dependent on informers whose agendas shaped their reports. Black police were compelled to write statements in line with their white commanders’ expectations.

Such factors complicate the use of police and government records. The Cato Manor archive does not provide an objective and comprehensive narrative of the events that transpired on 24 January 1960. We know that nine police were killed, and six others were badly injured, but we only have the police version of how and why this happened. Surviving police had opportunity and incentive to align their stories before testifying to the committee in person or in writing

<sup>12</sup>The trial and appeal records are housed in the Durban Archives Repository (DAR), RSC 1/1580-88.

<sup>13</sup>National Archives of South Africa, Pretoria (NASA), SAP 601 15/19/60, ‘Report of the Interdepartmental Committee appointed to inquire into the disturbances and rioting which occurred at Cato Manor, Durban, on January 24, 1960’ [Grobelaar Committee], Feb. 1960, 6.

<sup>14</sup>J. Dlamini, *The Terrorist Album: Apartheid’s Insurgents, Collaborators, and the Security Police* (Cambridge, MA, 2020). Dlamini’s focus is the production and use of a photographic album and accompanying index of South Africans compiled by the security branch beginning in the early 1960s. The ‘terrorist album’ was used to persecute suspected government opponents and combat insurgency. Far from being an authoritative source, it was riddled with inconsistencies, misidentifications, and misinformation.

and prior to appearing at trial. It is also largely silent on the impact of incessant police harassment. Various police and government officials, including the trial judge, acknowledged that residents deplored liquor raids, but the brutality associated with raiding was not a topic of interest. The details of the physical and mental trauma associated with police abuse are glaringly absent. The consequences of arrests for statutory offences — job losses, lost income, detention, deportation to rural areas, family separation — are not part of these records. Black endurance and suffering are disregarded and Black resistance to oppressive policies and practices is framed as a threat to law, order, and stability.

Notwithstanding these limitations, the committee and court documents reveal volumes about the intensity of police persecution, the lengths to which the state would go to secure convictions — including manufacturing evidence, police and government attitudes towards raiding, the fear related to African urbanisation, official perspectives on resistance, and the appropriate ways of dealing with challenges to the racial order. And, despite their focus being elsewhere, these sources make evident some of the pain and hardship related to raiding.

### Raiding and resistance

Raiding was ultimately about white security. Throughout the period of white rule, urban policing resources and infrastructure were concentrated in white suburbs and city centres and it was not considered practical or safe for police officers to do beat duties in Black areas. From the early twentieth century, it became an article of faith that liquor and pass raids provided the only tenable approach for policing urban Black communities.<sup>15</sup> Given that successive governments and police hierarchies were committed to this enforcement model, it is unsurprising that the raid system was represented as vital to crime reduction.<sup>16</sup> Some seem to have believed this despite the evidence to the contrary, but it is also clear that raiding demonstrated to Black urbanites that they were not free to order their lives as they wished. In the townships and informal settlements over which white administration exerted tenuous control, police raids were a reminder of state dominance. Conveying this message was especially important in urban centres where the growing presence of an African majority deeply alarmed white authorities. Consider, for example, the following portrait of the urban 'Black peril' advanced by a senior police officer in 1934:

The fact must not be lost sight of that in Johannesburg and along the Reef there is... a class of native bred in the slums, bred to be loafers, thieves, illicit liquor dealers and criminals of a most dangerous type... The Police problem arising from the presence of these parasites is a very difficult one... Ample legal machinery in the shape of Pass Laws, Curfew Regulations, By-Laws and the Urban Areas Act, exists to assist the Police, but even with the assistance of all this repressive legislation the task of maintaining a semblance of law and order is almost an impossible one. Without continuous liquor raids, pass law raids, trapping of liquor dens, motor vans and strong night patrols, all of which are most unpleasant duties, Johannesburg in particular would soon be uninhabitable.<sup>17</sup>

Just as pass enforcement was portrayed as essential for addressing crime, similar assertions were made about liquor raids. In the aftermath of riots in 1937 Vereeniging, south of Johannesburg, the investigating Commission reported that,

<sup>15</sup>C. Glaser, *Bo-Tsotsi: The Youth Gangs of Soweto, 1935-76* (Oxford, 2000), 101.

<sup>16</sup>Brewer highlights the irony of this conviction in the early years of apartheid: 'Passes and documents were checked, raids for illicit liquor conducted, and illegal squatters evicted, all while murder, rape and gangsterism flourished in the townships'. J. Brewer, *Black and Blue: Policing in South Africa* (Oxford, 1994), 200.

<sup>17</sup>NASA, SAIRR AD843 B30 File 1, Deputy Commissioner, SA Police, Witwatersrand Division to the Commissioner of the South African Police, Pretoria, 'Re: Complaint by Johannesburg Council of Europeans and Natives', 20 Feb. 1934.

It is, in our view, impossible to separate control of the liquor traffic from the general control of the Location, for it is unquestionable that much, if not most, of the disorder and lawlessness which occurs is directly traceable to that traffic, and the best methods of abating the disorder and lawlessness is to keep the traffic within bounds.<sup>18</sup>

Time and again, the police acknowledged both the limited impact of liquor raiding and the fury generated by their tactics, but they unswervingly embraced the fiction that raids were the best means of addressing crime. In 1957, when residents of Alexandra, a township that borders Johannesburg's northern suburbs, complained about a spate of violent crime, including murder, and begged the police to divert some of their resources from raids into crime prevention, the police response encapsulated the official position on racialised law enforcement: 'Beer raids on liquor dens have been tightened up as these dens are the breeding places of the criminal element'.<sup>19</sup> Until the mid-1980s then, the primary interface between the police and the urban African population occurred during the day-to-day enforcement of liquor and pass regulations.<sup>20</sup> Of all policing activities, liquor incursions — in which police patrols raided informal drinking establishments known as shebeens, spilled illegal concoctions into the street, destroyed the stills and drums used to make and store illicit brews, and arrested those suspected of consuming and producing liquor — were most likely to generate confrontations.

Skirmishes during liquor raids were not uncommon and it took mass rioting or serious police casualties to merit detailed entry into official records. The violence directed at police during a September 1937 raid on the Vereeniging Location south of Johannesburg underscores the combustible environment created by the continuous hounding of township residents. In the 11 months prior to September the police had conducted 39 liquor raids in the location.<sup>21</sup> On the day before the incident in question, the station commander, Head Constable Snyman, led an operation during which bystanders came to the aid of a man resisting arrest and began stoning the police party which fled to the van and exited the location. Apparently stung by this ignominious retreat, Snyman mounted another raid the next day with a much larger force which met with fierce resistance immediately upon entering the township. The police shot their way out, but not before two white officers were killed, and one white and two African officers seriously injured.<sup>22</sup>

The death of white police prompted an official inquiry which recorded yet again the failure to suppress the liquor trade and the hostility such efforts provoked:

Throughout the Vereeniging municipal area the possession by Natives of intoxicating liquor of any kind is forbidden and unremitting efforts to enforce this prohibition are made by the Police; but in the Vereeniging Location, as in many if not most urban Native townships and Locations in the country, the result of those efforts has been rather to make the liquor trade hazardous than to prevent or even sensibly to diminish it... There is no doubt that the Police have in the past incurred and continue to incur no little odium in consequence of their efforts to enforce statutory provisions.<sup>23</sup>

<sup>18</sup>NASA, SAP 286 15/24/37/1, 'Report of the Vereeniging Location Riots (1937) Commission', Oct. 1937, 26.

<sup>19</sup>NASA, SAP 290 48/20/37: Alexandra Standholders Protection and Vigilance Association, Memorandum to Commissioner Major-General Rademeyer, 16 Nov. 1956; Deputy-Commissioner, Witwatersrand Division to Commissioner, SAP, Pretoria, Police Protection Alexandra Township, 3 Jan. 1957.

<sup>20</sup>Policing priorities changed because of the 1986 abolition of influx control and the widespread urban insurrections of the mid-1980s. The enforcement of racial ordinances faded dramatically as the suppression of political dissent increasingly occupied policing focus and resources.

<sup>21</sup>Report of the Vereeniging Location Riots (1937) Commission', 16.

<sup>22</sup>NASA, SAP 286 15/24/37: District Commandant, Heidelberg to the Deputy Commissioner, South African Police, Pretoria, Native Disturbance, Vereeniging, 28 Sep. 1937.

<sup>23</sup>NASA, JUS 620 1868/37, 'Report of the Commission appointed to enquire into riots and disturbances which occurred at Vereeniging on the 18<sup>th</sup> and 19<sup>th</sup> of September 1937', n.d., 15–16.

Despite widespread recognition that raiding caused ‘an atmosphere of friction and antagonism which is fertile ground for the growth of a spirit of revolt’, the state and police remained committed to liquor raids as an indispensable tool for regulating township life.<sup>24</sup> In Cato Manor, long-standing disputes over liquor production had animated a remarkable bitterness towards the police.

### Cato Manor

Cato Manor comprises a substantial area of several thousand acres located within eight kilometres of Durban city center. It was originally the private property of Durban’s first mayor, George Cato. Following his death in 1893 the bulk of his estate was sold in small parcels to Indian immigrants so that by the early-1930s most of Cato Manor was Indian-owned. Wartime economic expansion drew thousands of Africans to Durban, and many settled in Cato Manor, building shacks and paying rent to Indian proprietors. Economic tension between Indians and Africans led to a massive series of confrontations in 1949 during which the Indian population of Cato Manor fled or were evacuated. Winning the ‘battle of Cato Manor’ effectively secured the settlement for Africans, at least for the short term, and white officials cited this ‘victory’ as a factor in African residents’ resistance to removals when Cato Manor was officially gazetted as a white area.<sup>25</sup>

For Durban’s authorities, the sprawling shack settlement represented a classic apartheid conundrum. It placed almost no financial burden on the city, and because it was close enough to the main employment areas for workers to make the daily commute, it accommodated a steady supply of cheap labour. On the other hand, the city administration struggled to exert any authority in Cato Manor, which was regarded as vice-ridden and a potential base for sedition. Although residents had to contend with substandard living conditions — no regular system of sanitation or drainage, limited refuse removal, and insufficient water supply — life in Cato Manor was not without advantages. Africans were sometimes arrested for pass offences during police raids, but municipal influx control was lax as the city had abandoned efforts to identify, detain, and remove those who lacked legal rights of residence.<sup>26</sup> Furthermore, accommodation was inexpensive, and Cato Manor was proximate to employment opportunities in the city and white suburbs. Perhaps most importantly, with an estimated population of between 80-100,000 by 1960, the settlement ‘offered enormous scope for informal sector activity. Petty entrepreneurs operated as unlicensed traders, hawkers, painters, back-yard motor mechanics, or shack-builders’.<sup>27</sup> And, despite daily police raids, the illicit liquor business continued to thrive, supporting many residents, and attracting thousands of visitors from the greater Durban area to local shebeens.

The liquor trade had been a source of discord between the municipality and Cato Manor for decades. In 1909 the Durban Town Council restricted the legal consumption of beer by African men to Durban’s municipal beerhalls.<sup>28</sup> This monopoly outlawed an essential business for female brewers, while providing the city with a lucrative revenue stream. The stage was set for a protracted struggle: municipal beer profits incentivised the city to eliminate competition by independent African producers whereas ‘the desire by African consumers to drink on their own terms combined with the determination of African brewers to continue with their businesses guaranteed that

<sup>24</sup> Report of the Vereeniging Location Riots (1937) Commission’, 17.

<sup>25</sup>P. Maylam, ‘The “Black Belt”: African squatters in Durban 1935-1950’, *Canadian Journal of African Studies*, 17:3 (1983), 413–28; NASA, SAP 15/9/60, Cato Manor Inquiry, Testimony of Sighart Borquin, principal Bantu Affairs Commissioner, Durban, 8 Feb. 1960.

<sup>26</sup>Police conducting liquor raids sometimes checked for passes and detained offenders, but this was secondary to their express purpose of destroying liquor and arresting liquor traders and consumers. For decades Cato Manor served as something of a haven for Africans who lacked legal residency rights in Durban.

<sup>27</sup>Maylam, “Black Belt”, 418.

<sup>28</sup>Women were allowed to brew limited amounts of beer for consumption by immediate family members but were not permitted to sell their product.

shebeens and illegal brewing would flourish despite intense police pressure'.<sup>29</sup> In 1952 the Durban City Council Group Areas proclamations rezoned Cato Manor for exclusive white residential occupation and called for African residents to be evicted from Durban or resettled in the government planned township of KwaMashu to the north of the city.<sup>30</sup> In 1958, when the authorities began putting their plans into action, liquor-related protests meshed with broader resistance to removal campaigns. Removal from Cato Manor had dire implications for those whose livelihoods could not be replicated in rural areas or government managed townships. As the SAIRR reported, 'Considerable numbers of shacks are owned by women, who derive their livelihood by letting rooms. They may supplement this income by part-time work, or by illicit trading or brewing. To these women, shack clearance means economic ruin'.<sup>31</sup> In an effort to forestall eviction, some women established connections with ANC officials who promised to assist them in their efforts to oppose forced removals. City and national government viewed this emerging alliance with trepidation. Amidst this turmoil over the fate of Cato Manor residents, police raiding and communal backlash continued in the months leading up to the 1960 killings.

From 1958, when the city began pressing home its removal plans, Cato Manor residents' relationships with the authorities became increasingly tense. Matters came to a head in the wake of a May 1959 typhoid outbreak. The municipality viewed the unhygienic conditions in Cato Manor as a likely vector for the disease and believed that brewing attracted flies and produced significant amounts of refuse. Previously, liquor enforcement had been handled solely by the police but, citing public health concerns, the municipality sent in labour gangs to further disrupt brewing activities. These employees uncovered and destroyed liquor caches and punctured the drums used for brewing and storing liquor. The response was swift and strategic. On 17 June, thousands of Cato Manor women, in conjunction with the ANC Women's League, began a boycott of municipal beerhalls. A crowd of women picketed the Cato Manor beerhall, refused men entry, complained about the destruction of liquor stills, and demanded to speak to Bantu Affairs Commissioner Sighart Borquin. By the next morning, an estimated 1,000 women had gathered at the beerhall, while others went off to besiege neighbouring municipal beerhalls to extend the boycott. Cato Manor women invaded these establishments, urinated in beer vats, and destroyed property. Police used teargas to clear the halls and many protestors then returned to Cato Manor to hear from Borquin who had arrived in the early afternoon. He reported that 'there were about 5,000 or 6,000 women present. I went under police escort and the situation looked very serious indeed'.<sup>32</sup> The women denounced the municipal campaign against brewing and accused the municipality of undertaking it to increase its revenues. Many of the women reiterated that they depended on liquor sales as their only income. Borquin recorded that when he informed the crowd that he would pass on their concerns to the relevant authorities but that he could make no assurances, he was met with vitriol and there was no point in continuing the meeting. The police colonel on site then gave the crowd five minutes to disperse and, when they failed to do so, ordered a baton charge. The police waded into the crowd of demonstrators and the brutality of this assault detonated an explosion of violence. 'As police chased and beat women underfoot, women fled, fighting a rearguard action by throwing bottles and stones at police. African men joined the fray, attacking the police. The police started

<sup>29</sup>P. la Hausse, 'The struggle for the city: alcohol, the ematsheni and popular culture in Durban, 1902-1936' in P. Maylam and I. Edwards (eds.), *The People's City: African Life in Twentieth-Century Durban* (Durban, 1996), 53. Philip Bonner also identified municipal finances as a major incentive to prioritise liquor raids in some East Rand townships during the 1930s and 1940s. See P. Bonner, 'Backs to the fence: law, liquor and the search for social control in an East Rand town, 1929-1942', in Crush, *Liquor and Labour*; Bonner, 'Desirable or undesirable'.

<sup>30</sup>I. Edwards, 'Cato Manor: cruel past, pivotal future', *Review of African Political Economy*, 21:61 (1994), 419.

<sup>31</sup>NASA, SAP 601 15/19/60, South African Institute of Race Relations (SAIRR) Natal, 'Memorandum to Inter-Departmental Committee of Inquiry into Incidents at Cato Manor on Sunday, 24<sup>th</sup> January 1960', 11 Feb. 1960.

<sup>32</sup>Cato Manor Inquiry, Testimony of Sighart Borquin, 58.



shooting. The crowds retreated into the shacklands'.<sup>33</sup> This led to general rioting with municipal buses torched, municipal offices ransacked, and shops looted. Police cordoned off Cato Manor and running battles continued through the night.

Sporadic demonstrations and altercations with police persisted for several weeks. City Council services, including public health, sewerage, and water, were suspended for seven weeks after the initial riots, and when municipal employees began to return, they were accompanied by police.<sup>34</sup> Municipal efforts to obstruct liquor production were abandoned and eight months after the start of the riots Borquin maintained that 'We can't perform any repressive or control measures unless we have adequate police protection'.<sup>35</sup>

The charge on female demonstrators and subsequent violence undoubtedly exacerbated friction between the police and residents who were already incensed with liquor raids. Cato Manor was raided with greater frequency than any other Black settlement for which I have been able to obtain figures.<sup>36</sup> Vereeniging Location residents attacked a police patrol in 1937 after experiencing an average of three to four raids a month for the previous year, while Cato Manor was raided twice *daily* for several years leading up to the 1960 killings.

The people — primarily women — whose businesses were targeted objected to liquor raids. However, it was not only liquor producers who condemned raiding. Many residents wanted the freedom to consume liquor in more convivial environments than the strictly regulated municipal beerhalls. More than anything, people were outraged by police interference and misconduct. The SAIRR submitted a memorandum to the committee that included a summary of the fraught police-community relationship: 'The Institute has frequently been told by Africans that the police in liquor raids and arrests for pass offences act unnecessarily roughly and without regard for the dignity and self-respect of the individual'.<sup>37</sup>

It is noteworthy that the onslaught against police was instigated not by an arrest but an altercation between a constable with a reputation for abusing members of the public and a resident who had committed no crime.<sup>38</sup> Residents' interactions with police were typically confined to those engaged in raiding and their antagonism was reserved for these officers. The Cato Manor Station Commissioner declared that 'There has never been an attack on any man employed in the area other than on raiding duty'.<sup>39</sup> When asked why personnel from the Criminal Investigation Department were immune from assault while raiding parties were often targeted, the Durban's District Commander responded that 'From my own personal experience, I have found that the Native is very adverse to Native liquor raids'.<sup>40</sup>

It was judged unsafe for police to conduct liquor patrols in Cato Manor during the protests and rioting that followed the June 1959 police charge on female demonstrators, and raids were only

<sup>33</sup>I. Edwards, 'Cato Manor, June 1959: men, women, crowds, violence, politics and history', in Maylam and Edwards, *The People's City*, 131–2.

<sup>34</sup>SAIRR Natal, 'Memorandum to Inter-Departmental Committee'.

<sup>35</sup>Cato Manor Inquiry, Testimony of Sighart Borquin, 66.

<sup>36</sup>In 1950 police reported that 'Continuous daily raids are being carried out for illicit liquor traffic' in Soweto and Western Native Township but this was a vast area with an enormous population so the effect of these raids would have been much less concentrated than in Cato Manor. NASA, SAP 288, 15/40/37, Deputy Commissioner, South African Police, Witwatersrand Division to the Commissioner, South African Police, Pretoria.

<sup>37</sup>SAIRR Natal, 'Memorandum to Inter-Departmental Committee', 7. Residents also complained that Black police officers whose wives and friends sold liquor protected them from arrest and instead prosecuted their competitors. See SAP 601 15/9/60, Cato Manor Inquiry, Testimony of Cecil Charles Elston, Bantu Affairs Commissioner, Durban, 90; SAP 601 15/19/60, A. W. G. Champion, Chairman of the Combined Native Location Advisory Boards, 'Cato Manor Problem, 1960', n.d.

<sup>38</sup>One of Constable Bijela's African colleagues reported Bijela's abuse of suspects. See NASA, SAP 601 15/9/60, Cato Manor Inquiry, Statement of No. 123828, Bantu Sergeant Herbert Madhlala Nene.

<sup>39</sup>NASA, SAP 600 15/9/60, Cato Manor Inquiry, Testimony of Head Constable Evered Ronald Doo, Station Commander Cato Manor, 463.

<sup>40</sup>NASA, SAP 601 15/9/60, Cato Manor Inquiry, Testimony of Major Van Der Merwe, District Commander, SAP, Durban/Pinetown, 88.

resumed after a massive show of force. Over ten consecutive days in August hundreds of officers carrying submachine guns and rifles with bayonets invaded the settlement and reportedly destroyed over 100,000 gallons of liquor and many stills. The police were confident that residents had been sufficiently cowed and,

It was then decided that routine raids were to be gradually re-installed. As time moved on matters improved in Cato Manor until eventually it was considered normal. Routine raids were carried out daily until 24.1.60, the day when the murderous event took place.<sup>41</sup>

Although police authorities were confident that 'order had been re-established' raiding parties continued to clash with residents.<sup>42</sup> There were eight recorded 'stonings and attacks on police' in Cato Manor in the five months preceding the January 1960 killings and these only included incidents in which the raiding party detained suspects. Confrontations from which police withdrew without making arrests were not documented. After scrutinising reports of interactions with combative crowds, members of the committee were clearly exasperated by what they considered timidity when the police 'beat undignified retreats'. The chair's exchanges with the Police Deputy Commissioner speak to the committee's attitude regarding appropriate policing:

Grobelaar [Committee Chair]: It looks as if it became a kind of sport for these hooligans to assault the police whenever they were on raids, by throwing stones at them and so on, to make them run away, get into the vehicle and then go off again, with the result that we get almost forced to the conclusion that these people had no respect for the authority of these people on liquor raids.

Jenkins [Police Deputy Commissioner]: If I were a patrol commander and we were stoned, I would withdraw my men, just to obviate an incident. As you can see with all these cases I read out, if the police were to take retaliating action there, we would be shooting on these people every week.

Grobelaar: With your experience if you fire at them once properly – when I say 'properly', show them that it is business, – do you think they will keep on with that sort of dangerous playing?

Jenkins: Well, we have fired on them and they still keep on... We continue our raids daily, in spite of stoning or anything else, as an indication that we are not going to be intimidated by them.<sup>43</sup>

A brief recounting of two September conflicts provides an indication of the severity of such encounters. In the first, the police claimed they were stoned while escorting prisoners to the raiding truck.<sup>44</sup> Six officers sustained light injuries and the police fired 31 shots from revolvers and submachine guns. The bodies of three 'native males' who died of gunshot wounds were found at the scene by civilians shortly thereafter. A few days later police again opened fire when 'Natives attacked raiding trucks and policemen'. This time eight police were listed as injured, and the police discharged submachine guns in addition to their revolvers. In this instance, civilian casualties were not recorded.

On the evening prior to the killings, a raiding party had been forced to abandon its mission. The ranking officer stated that an attempt to arrest people allegedly found drinking illegal liquor led to

<sup>41</sup>*Ibid.*, 83.

<sup>42</sup>This was not a new development. According to police testimony raids 'occasionally' encountered serious resistance and between 1938 and 1959, six police on raiding duties had been seriously injured in Cato Manor. NASA, SAP 601 15/9/60, Cato Manor Inquiry, Testimony of Reginald Douglas Jenkins, Deputy Commissioner, Port Natal SAP, Durban Headquarters, 153.

<sup>43</sup>*Ibid.*, 3–5.

<sup>44</sup>NASA, SAP 601 15/19/60, 'Extracts from the Occurrence Book at Cato Manor Station – detailing attacks on police', compiled 12 Feb. 1960.

violent resistance. He described an initial melee in which police were assaulted with sticks and then a battle between stone throwing belligerents and police who were forced to return fire. The raiding truck came to the rescue of the foot patrol which retreated to the safety of the vehicle with a few prisoners.

It was very dark, and I realised it would be futile and dangerous to charge and try to arrest those stonethrowers that could not be seen. All bantus in the surrounding shacks knew by this time about the incident and all around us they started shouting that the police should be killed. I knew that should we stay any longer we would be completely surrounded so I ordered the truck driver to proceed to the police station.<sup>45</sup>

The intense resentment inspired by raiding parties is unmistakable. The primary factors preventing police fatalities when raiding parties faced violent opposition were the threat and occasional use of submachine guns, along with the presence of police vehicles that provided a means of escape. The police who came under attack on 24 January 1960 had access to neither and nine of them paid with their lives.

### The initial killings

On the fateful afternoon, the raiding party began its work at 12:45 p.m. with 26 officers accompanied by a police van. Following the usual procedures, the party split into smaller groups to cover more ground searching for liquor and making arrests. Each group of officers then escorted suspects to the vehicle. The vehicle journeyed between the raiding location and the station transporting prisoners to the cells and then returning. Foot police on raiding duties did not carry submachine guns, which were kept in the van. The protracted assault on the raiding party seems to have been triggered by a confrontation between Constable Biyela and Cato Manor resident Beatrice Mokoena at approximately 5 p.m., at which time the van and several police, including the two senior officers, were back at the station. The details are drawn from the accounts of surviving officers along with statements from Mokoena and her neighbours taken during the ensuing investigation. All agree that Biyela stepping on Mokoena's foot in her passageway served as the catalyst. And, although the stories of Biyela's subsequent actions diverged, the police reported, and Mokoena and witnesses concurred, that as the police exited her yard Mokoena followed them into the street where she threw stones at Biyela and incited others to attack the raiding party.<sup>46</sup> Onlookers responded by jeering at and stoning the police. A large crowd quickly gathered 'with people coming from all directions' to join the attack.<sup>47</sup> Mokoena stated that after throwing a few stones she returned to her home and did not witness the killings. Biyela's detachment of officers retreated and linked up with another nearby patrol. Now seventeen strong, the police contingent continued to withdraw in the face of a growing crowd. African police were not issued firearms and the five white officers carrying revolvers had only six bullets each. As the stoning grew more severe the white police opened fire while the African officers resorted to throwing stones to keep the crowd at bay. Undeterred, the attackers persisted and with their ammunition expended and several of their party injured, the police took shelter in adjoining rooms of a corrugated iron municipal barracks. The respite was brief as a barrage of

<sup>45</sup>NASA, SAP 601 15/19/60, Head Constable Greybe report to Station Commander, Cato Manor, 'Attack of Police', 23 Jan. 1960.

<sup>46</sup>Biyela admitted to accidentally 'tramping' on Mokoena while passing her in a narrow entranceway but claimed there was no other physical contact. Mokoena and other witnesses alleged that when Mokoena objected to getting stepped on, Biyela slapped her in the face and then hit another woman who admonished him for striking Mokoena. See NASA, SAP 601 15/19/60 Cato Manor RCI 449/1/1960, Statement of Beatrice Mokoena, aged 20; SAP 601 15/19/60 Cato Manor RCI 449/1/1960, Statement of Esther Mkize; SAP 601 15/19/60 Cato Manor RCI 449/1/1960, Statement of Olga Zulu, aged 18; SAP 601 15/19/60 Cato Manor RCI 1/60, Statement of Bantu Constable Nciteni Biyela.

<sup>47</sup>NASA, SAP 601 15/19/60 Cato Manor RCI 449/1/1960, Statement of Kelina Ndhlovu, female aged 28.

missiles smashed the windows and the doors were battered in. The terrified men began bolting from the building and crowd members set upon them with knives, rocks, and sticks. As the individual officers scattered, smaller groups gave chase, with one constable being killed 350 metres from the barracks. In addition to the nine murdered police — Kufakwezwe Buhlalo, Fanezetu Dhludla, Paul Jeza, Gert Jacobus Joubert, Cornelius Christian Kriel, Louis William Kunneke, Peni Mtetwa, Mazanda Nzuza, and Cornelius Steyn Rademan — six of the eight survivors sustained serious injuries.

For details of the attack, we are forced to rely on police statements as neither the committee nor trial records contain civilian descriptions of the crowd's actions.<sup>48</sup> Constable Bulose's account effectively captures the police version. He was guarding prisoners in a separate group from Biyela but still in earshot. He heard Mokoena remonstrating with police in the yard of a house, saw her follow them into the road and watched as she threw stones and shouted at bystanders to 'kill the police'. After recounting the retreat to the barracks Bulose described the final assault and his escape:

When we entered those rooms there was a great crowd of people all round us and the stone throwing increased. The crowd came closer and I saw they were armed with axes, bottles, stones, sticks, bushknives, etc. One of the windows was smashed and when we attempted to block that window with a wardrobe which was in the room, they smashed the wardrobe as well. We then held a mattress in front of the window, and while doing so the door which was also held shut was chopped down. As the door was chopped down, stones rained into the room through the door. Bantu Constable Shandu rushed through the door and Constables Kunneke and Kriel followed shortly afterwards. During the time we were in the room no more shots were fired. Bantu Constables Biyela and Nxumalo followed and ran out. Bantu Constables Rubha and C. Msomi followed subsequently and stormed through the mob. Bantu Sergeant Buhlalu ran out shortly after and I remained in the room alone with the four prisoners. We were all hiding under a bed in the room. I do not know what happened outside or in what direction these members ran. Shortly after Bantu Sergeant Buhlalu left the throwing of stones subsided and the people seem to have followed all the members who ran out first.<sup>49</sup>

After waiting for the crowd to disperse, Bulose took flight, evaded his pursuers, and made his way back to the station.

The surviving police submitted virtually identical accounts of their withdrawal, sheltering in the barracks, and the assault on the adjoining rooms. The only real differences are their individual stories of escape. Constable Shandu took the initiative as the first to flee from one of the rooms when the door was broken down. 'As [the door] collapsed stones rained down into the room. I took the broken door and threw it at the crowd after which I dashed out of the room. In the road nearby I met a private car'.<sup>50</sup> The driver stopped for Shandu and drove him to safety. He sustained only minor injuries. Constable Msomi was not so lucky. 'As I ran into the crowd I was struck over the head, face and body with sticks, stones and bushknives, as a result of which I received numerous open wounds on my face and on my head. I ran into a house nearby and remained there until a force of policemen subsequently arrived'.<sup>51</sup> He spent five days in hospital recovering from his injuries. Another officer, Constable Mhlongo, was left for dead: 'I ran out of the room followed by Bantus who struck me over the head and body with stones and sticks. I continued running and was

<sup>48</sup>A few residents did provide statements, perhaps under duress, but these were only of the most general nature stating nothing more than they witnessed a crowd attacking the police patrol. At the trial, Crown witnesses described the pursuit and killings of individual police after they fled the barracks.

<sup>49</sup>NASA, SAP 601 15/19/60 Cato Manor RCI 1/60, Statement of Bantu Constable Mandla Reginald Bulose.

<sup>50</sup>NASA, SAP 601 15/19/60 Cato Manor RCI 1/60, Statement of Bantu Constable Bekokwake Shandu.

<sup>51</sup>NASA, SAP 601 15/19/60 Cato Manor RCI 1/60, Statement of Bantu Constable Zuzumbone Msomi.

followed for some distance until I fell to the ground. The Bantus continued hitting me while I was on the ground until I became unconscious'.<sup>52</sup> He was found and taken to the hospital by a police search party. Constable Biyela, whose dispute with Beatrice Mokoena set the lethal train of events in motion, reported that he ran through a gauntlet of assailants and managed to make it to a minister's house where he was eventually rescued by colleagues.<sup>53</sup> Biyela had both arms broken and was hospitalised for a week. The sole surviving white constable, Andries Rheeders, was discovered unconscious and spent several months recovering in the hospital.<sup>54</sup>

### State retribution

The reaction to the killings was immediate and in keeping with a government consumed with racial dominance. At 3 a.m. on 26 January, some 170 police descended on Cato Manor to locate 'suspects who can be pointed out by witnesses and to take to the police station as many persons from the affected areas as possible... 271 Bantu males, females and children were detained for screening'.<sup>55</sup> This mass detention proved fruitful in the subsequent trial as the police cultivated Crown witnesses from among the people arrested. As defence lawyers pointed out, this raised the possibility of intimidation and promises of dropped charges in return for testimony against the eventual accused.<sup>56</sup>

In the ensuing days, more men were arrested in connection with the murders, often on the flimsiest of pretexts. To cite just two examples, the police recorded the following arrests:

Mr. Gore of Nero & Gore reports that one of his native employees is anxious to leave Durban at once and he suspects that he has been concerned in the riot. Arrangements made for his arrest.

Philip Ngubane arrested, bullet wound leg – states was present at shooting as innocent bystander. This man charged on 25 [January] 1960.<sup>57</sup>

Twenty-six people, including several women, Beatrice Mokoena among them, were tried on charges of public violence.<sup>58</sup> Twenty-nine men and boys were charged in a single murder trial overseen by Justice James and two assessors that opened on 1 August 1960 and lasted for five months. One defendant died in custody while awaiting trial and the Crown dismissed the charges against another as soon as the trial began. A third accused was unable to continue due to a medical condition and his case was separated to be heard later, so the murder trial proceeded with 26 defendants. A single advocate represented 24 of these defendants.

In the end the apartheid state ensured the killing of its agents was avenged. The prosecution put forth a dubious collection of witnesses, many with close ties to the Cato Manor police as civilian employees, relatives and romantic partners — including relatives and partners of the murdered officers. Justice James noted the Crown's reliance on young witnesses:

One of the ever present difficulties in this case has been the evidence led by the Crown on a number of important events has been largely that of young children and adolescents, notwithstanding that these events must have been witnessed by many people – perhaps scores of them.<sup>59</sup>

<sup>52</sup>NASA, SAP 601 15/19/60 Cato Manor RCI 449/1/60, Statement of Bantu Constable Benjamin Mhlongo.

<sup>53</sup>NASA, SAP 601 15/19/60 Cato Manor RCI 1/60, Statement of Nciteni Biyela.

<sup>54</sup>Dippenaar, *South African Police*, 275.

<sup>55</sup>NASA, SAP 601 15/9/60, Cato Manor Inquiry, Testimony of Reginald Douglas Jenkins, 154.

<sup>56</sup>DAR, RSC 1/580, Supreme Court of South Africa, Durban and Coast Local Division, Natal, 'Regina versus: Payiyana Dladla & 28 Others, Charge: Murder', Testimony of Detective Head Constable van Rooyen, 115–16.

<sup>57</sup>NASA, SAP 602 15/9/60, 'Memorandum: Cato Manor murders 24-1-60', n.d., 2.

<sup>58</sup>L. K. Ladlau, 'The Cato Manor Riots, 1959-60' (unpublished MA dissertation, University of Natal, 1975), 110–12.

<sup>59</sup>DAR, RSC 1/586, Supreme Court Durban, 'Regina vs Payiyana Dladla', Justice James summary remarks, 2795–7.

He also felt compelled to address the fact that many convictions were dependent on the testimony of a single witness. Various aspects of the trial were suspect, but perhaps most disturbing were the several cases based on unsolicited confessions in which men allegedly unburdened themselves to strangers, neighbours, relatives, and acquaintances who then informed the police.

For example, Payiyana Dladla was convicted, and his conviction was upheld on appeal, primarily on the testimony of a Maria Majola. She claimed that on the Monday following the murders Dladla came to her place to get money owed him from one of her tenants. He told her he needed these funds to flee Durban as he had been directly involved in the killing of two police officers. This story was corroborated by her elderly husband, who admitted to the court that his memory often failed him. Dladla testified that he had only repeated to the Majolas what he had heard about the attack that morning.<sup>60</sup> He stated that he had been very drunk and had passed out without any knowledge that an attack was being mounted on the police. Two people supported Dladla's alibi stating that they had been with him when he was drinking and that he had not been at the site of the murders, but their testimony was discounted as unreliable. Dladla was executed despite the absence of any physical evidence or eyewitness testimony linking him to the killings. Thembinkosi Schoolboy Mthembu's conviction rested on a reported confession to a neighbour.<sup>61</sup> Mthembu denied having made any confession and testified that the man who implicated him, Samson Mthembu (no relation), had informed him that the police had threatened to charge Samson with taking part in the murders unless he bore witness against Mthembu. Notwithstanding the problematic nature of the evidence brought against him, Mthembu was unable to escape conviction and execution.

The weakest cases, in which witnesses gave fanciful, confused, and contradictory testimony, led to eight acquittals. Of the eighteen found guilty, ten were sentenced to death, and eight were deemed to have extenuating circumstances, primarily based on their youth (the youngest was fifteen), and received prison sentences ranging from five to twelve years. Ten cases were heard on appeal, with seven sentences confirmed and three convictions — one death penalty and two prison sentences — overturned. In addition to the seven men and boys sent to prison, nine men — Payiyana Dladla, Msayineke Daniel Khuzwayo, Fanozi Brian Mgubungu, Sililo Joseph Miya, Mahemu Goqo, Thompson Chamane, Thembinkosi Schoolboy Mthembu, Mhlangeni Joe Khuzwayo, and Maqadeni Lushozi — were hanged on 5 September 1961.<sup>62</sup>

The committee's recommendations, which focused on enhancing the authority of the police and the efficiency of racial control, were every bit as predictable as the state's retribution. Their report emphasised that, 'Raids must be resumed immediately until order has been absolutely restored'.<sup>63</sup> To facilitate this objective, the report called for additional officers with improved firepower to be posted at Cato Manor station. In the immediate aftermath of the killings, raiding parties were accompanied by two vans and an armoured vehicle, each equipped with submachine guns.<sup>64</sup> It also seems likely that the police fatalities at Cato Manor resonated beyond the immediate environment. Police officers who slaughtered 69 people in the notorious Sharpeville Massacre on 21 March 1961 testified afterwards that crowd members had taunted them with cries of 'Cato Manor'. It is impossible to know if this was true or if police fabricated it because these words would have indicated the crowd's aggressive, even murderous, intentions. Regardless, the deaths of nine police officers at the hands of a Black crowd only two months previously 'were still fresh in the minds of most policemen'.<sup>65</sup>

<sup>60</sup>DAR, RSC 1/583, Testimony of Payiyana Dladla, 1654.

<sup>61</sup>DAR, RSC 1/586, Supreme Court Durban, 'Regina vs Payiyana Dladla', Justice James summary remarks: Accused No. 17 Thembinkosi Schoolboy Mthembu, 2954–68.

<sup>62</sup>DAR, RSC 1/580, I cannot be sure of the spelling of these names as they often have slight variations throughout the trial records. The spellings above are taken from the official execution record.

<sup>63</sup>NASA, SAP 601 15/19/60, Grobbelaar Committee, 29.

<sup>64</sup>NASA, SAP 601 15/9/60, Cato Manor Inquiry, Testimony of Reginald Douglas Jenkins, 60.

<sup>65</sup>T. Lodge, *Sharpeville: An Apartheid Massacre and its Consequences* (Oxford, 2011), 98; P. Frankel, *An Ordinary Atrocity: Sharpeville and its Massacre* (New Haven, 2001), 100.

Intensifying police repression was a short-term measure. As far as white authorities were concerned, only the completion of planned removals offered a satisfactory solution to the Cato Manor problem. The 1960 State of Emergency and the subsequent banning of the ANC and other opposition movements weakened the capacity for organised resistance. The state was determined to erase the blight of Cato Manor and some 100,000 people were removed by 1966.<sup>66</sup>

## Conclusion

The South African state's commitment to raiding and its pursuit of retribution was responsible for the eighteen deaths associated with the events of 24 January 1960. Incessant raiding provoked the fatal attack and the hopelessly compromised 'justice' system consigned nine men to the gallows. On a broader front, liquor enforcement guaranteed conflicts between raiding parties and residents that periodically escalated into lethal encounters. Constrained by racist convictions that the urban African population needed to be monitored and intimidated (rather than protected and served) and unable to commit the resources that would have enabled an ideal level of suppression, the South African state and police officials resorted to raiding to project white authority. Raids could not stamp out or even meaningfully inhibit the liquor trade, but they persisted for decades. Police conceded that raids were having a negligible impact and that raiding parties regularly encountered violent resistance but could imagine no alternatives.<sup>67</sup> For Cato Manor residents this meant constant torment.

In his final judgement, Justice James remarked that, 'The Court is satisfied that in January 1960 a large part of the population of Cato Manor bore feelings of hostility to the uniformed branch of the South African Police... The basis of that hostility is undoubtedly to be found in the administration of the liquor and pass laws.'<sup>68</sup> Regardless of such findings, there is not a single mention in either the trial or committee records in which a police or government official questioned the continued application of these laws, or the raiding system used to enforce them. In the minds of white officials, discontinuing these measures would have meant abdicating any pretense of control over the Black urban population and, in the early 1960s, the government was still decades away from making any such concessions. This intractability guaranteed the ongoing destructive spiral that characterised apartheid policing.

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<sup>66</sup>Maylam, "Black Belt", 425.

<sup>67</sup>When asked about the effectiveness of Cato Manor raids, the District Commander responded, 'There is so much liquor there, we can't do 1% of the work. We are not destroying 1% of it'. NASA, SAP 601 15/9/60, Cato Manor Inquiry, Testimony of Major Van Der Merwe, 9.

<sup>68</sup>DAR, RSC 1/586, Supreme Court Durban, 'Regina vs Payiyana Dladla', Justice James summary remarks, 2987-8.