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Misery merchants: a creative non-fiction on a private prison in South Africa

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Misery Merchants
A creative non-fiction narrative on a private prison in South Africa

Ruth Hopkins

Student number: 700458

Submitted as the dissertation component in fulfillment of the requirements for the degree of Master of Arts (Creative Writing) at the School of Literature, Language and Media, University of the Witswatersrand.

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Abstract

I visited Mangaung prison for the first time in 2012, when I was following up on letters that inmates had sent to the Wits Justice Project (WJP), the organisation I worked for. I returned to Mangaung prison many times and interviewed inmates, warders and several other sources. I accessed damning government reports that had been stuffed under the carpet and leaked video footage of abuse.

Mangaung Prison is a Public Private Partnership (PPP). A consortium of five shareholders signed a contract with the government in 2000 to build, run and maintain a private prison.

The evidence I gathered showed the prison's riot team – also known as the 'Ninjas' – taking inmates to either the hospital or the isolation unit, where there are CCTV blind spots. There they would shock them with their electrified shock shields.

Inmates were also being injected against their will with anti-psychotic drugs, often when they had no history of mental illness.

The warders went on several strikes in August and September 2013 and the chaos in the prison escalated to unknown heights. When the prison appointed unqualified staff to replace the absent workers, the state stepped in and took over.

When national and international newspapers ran my investigation, end of October 2013, the then minister of Correctional Services, Sbu Ndebele, promised to 'leave no stone unturned in an investigation that would get to the bottom of the abuse.

Currently, more than six years later, the report still hasn't materialised. The prison was handed back to G4S in August 2014.

This manuscript follows several characters who were held in or worked at the prison. L. is a prison gang general and an advocate for prisoners' rights. Dan is a prison guard and a shop steward for the union. Setlai is a Department of Correctional Services official who blew the whistle on the abuse at Mangaung Prison in 2009. Shakes is a member of the Emergency Security Team (EST) also known as the Ninjas.

These and other characters tell the story of how G4S, one of the biggest multinationals in the world, its shareholders in the prison contract and the government colluded together to suppress evidence of abuse and to ensure the continued flow of profits.

Declaration

The work contained in this document was undertaken in the fulfillment of a Master's Degree in Creative Writing from the School of Literature, Language and Media at the University of the Witswatersrand, Johannesburg and was conducted at this university under the supervision of Elsie Cloete of the University of the Witswatersrand.

This is to declare that this research is my own work and has not been used previously in the fulfillment of another degree at this university or any other. Any use of the work of others has been fully noted in the text. Confidentiality of participants has been ensured and interviewee's names have only been used by expressed consent. Whenever an interviewee wanted to remain anonymous, I replaced their name by a single letter, e.g. L. or K. In one instance, for safety reasons, I have changed the gender of the interviewee.

Because this is a work of narrative non-fiction, I have tried to minimize the use of footnotes, so as not to interrupt the flow of the story. I have added footnotes whenever I quote from someone's work.

Ruth Hopkins

24 day of July 2019

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I'd also like to thank all the people who were held in Mangaung Prison or who worked there. Some went to great risk to secure information: I am deeply grateful for their bravery and I could not have exposed the wrongdoings without them.

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List of abbreviations

BEE - Black Economic Empowerment
BCC – Bloemfontein Correctional Contracts
CALS - Center for Applied Legal Studies
CCMA - Commission for Conciliation, Mediation and Arbitration
DCS – Department of Correctional Services
DOS - Duty Operations Supervisor
DSO – Direct Supervision Officer
DCFM - Design, Construction, Finance, and Management (of private prisons)
ESOP - Employee Share Ownership Plan
EST – Emergency Security Team
G4S – Group 4 Securicor
GEAR - Growth, Employment and Redistribution
ICT - Ikwhezi Community Trust
ISS - Institute of Security Studies
JICS – Judicial Inspectorate of Correctional Services
LRC – Legal Resources Center
MCC - Mangaung Correctional Centre
NEF - National Empowerment Fund
NPA – National Prosecuting Authority
OECD - Organisation for Economic Cooperation and Development
PAIA – Promotion of Access to Information Act
PFI - Private Finance Initiative
POPCRU – the Police and Prisons Civil Rights Union
PPP – Public Private Partnership
RAS – Resident Administration System
SAPS – South African Police Service
SCOPA - Standing Committee on Public Accounts
SDU – Self Defense Unit
SEIU - Service Employees International Union
SIU - Special Investigating Unit
SPLA - Sudan People's Liberation Army
UNI - Union Network International
WJP – Wits Justice Project

Key terms

Private prisons
Torture
Corruption
Inmates
Department of Correctional Services
G4S
Private security
Bloemfontein
Use of Force
Anti-psychotic medicine

1.

How I Ended up in Prison in South Africa

The wooden bench is designed to feel uncomfortable. I'm positioned bolt upright, shifting uncomfortably, facing the reception area of the prison. A young woman with tightly braided hair, wearing a bright red and blue G4S uniform, answers a telephone behind a counter. A man in his mid-twenties stands behind the woman on the phone, he chats to another woman, a bit plumper than the first one.

Adjacent to the reception desk is a security area. A bored-looking G4S guard checks all incoming objects by feeding them through an x-ray machine. A row of lockers to the side provides a secure space for visitors to leave their belongings as they venture into this maximum security prison, which houses just under 3000 inmates, in Bloemfontein, Free State. It is September 2012 and I am visiting this modern and privatized prison for the second time.

G4S boasts on its website that Mangaung Prison, as it is called, is the second biggest maximum-security prison in the world. G4S is a multinational security company with a presence in 90 countries in the world. It provides security services, cash-in-transit facilities and runs prisons in the UK, Australia and South Africa. They claim they are South Africa's and Africa's biggest private employer.

A woman walks towards me. This must be Anneke, I think. When I arrived at the prison the guards asked me to wait, because Anneke La Grange, the security manager at the prison, wanted to speak to me.

She has very coiffed, medium length hair in different shades: a shock of blondish hair frames the right side of her face, the rest is of a copper/purplish shade. She takes a seat on the bench and faces me. Her make-up is as manicured as her hairdo: shades above her eyes fade into each other like a sunset, her lipstick is shiny and precisely applied.

After some friendly chitchat about nothing, she asks me why I'm at Mangaung Prison.

"I work for the Wits Justice Project", I say, hoping that information might suffice.

"We investigate legal matters," I add.

"Inmates write to us about their legal problems and we help prisoners find lawyers."

I am speaking the truth, but not the whole truth. I'm intentionally leaving out the journalism bit. The investigative journalism bit.

At the Wits Justice Project we work closely with lawyers. I don't tell her that we're an all-female group of hard-nosed investigative journalists researching the criminal justice system. The premise of our work is that we think the South African criminal justice system is broken. And it is failing mainly the poor. I also don't tell her that.

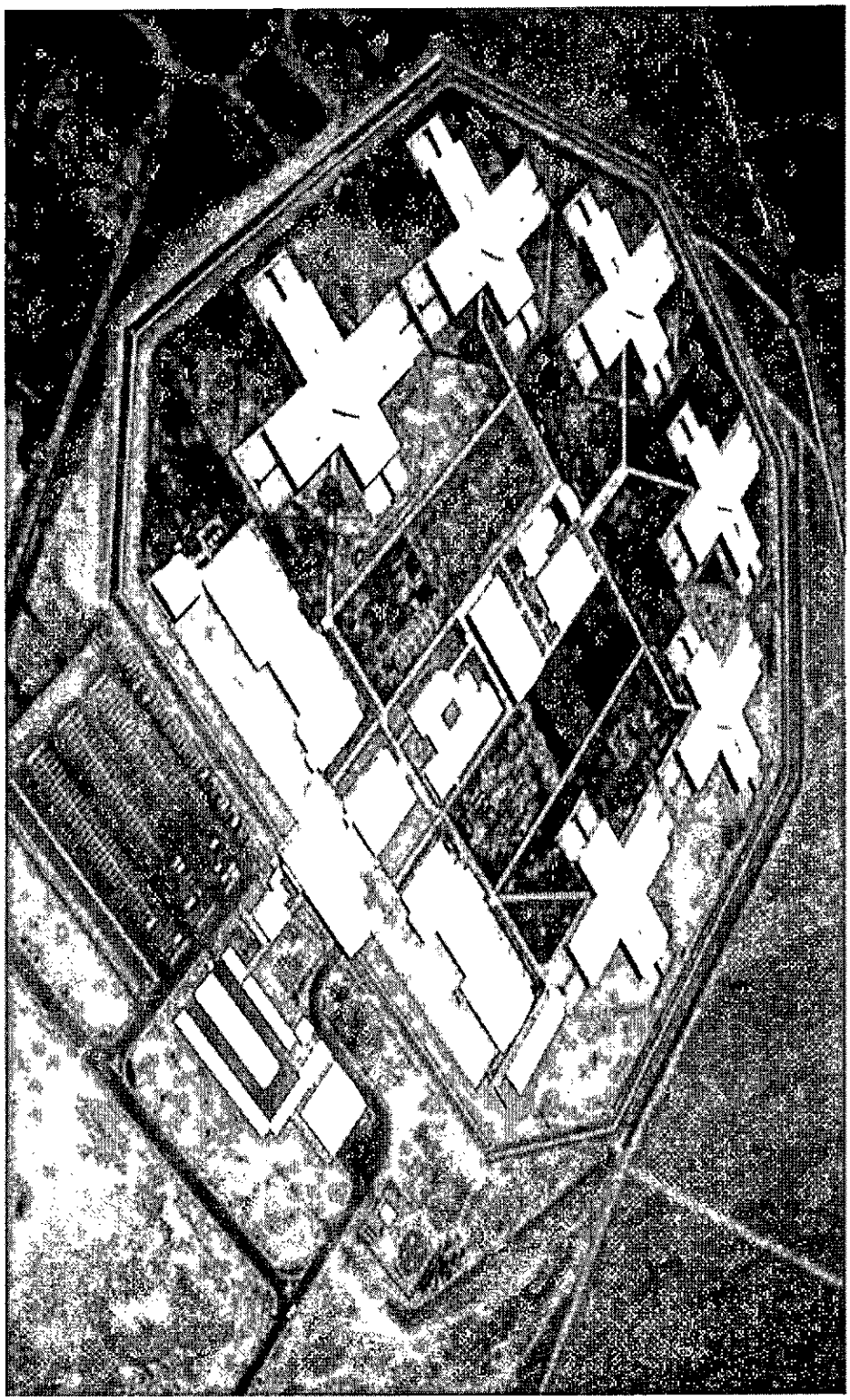
What I do tell her is that prisoners write us about wide ranging concerns: expired medication, lost transcripts, appealing an old case, torture, court delays, wrongful convictions, prosecutorial misconduct and many other issues. We help some of the people who write to us to access justice. We refer incarcerated people and their loved ones to Legal Aid or liaise with private lawyers who sometimes agree to represent individuals on a pro bono basis. A lot of Mangaung inmates write to us, it was easily the top prison in terms of numbers of letters.

La Grange nods while I explain and when I'm done she says it's fine, she understands. I can barely hear her thick Afrikaans accent my heart is beating so loud in my ears. I expect her to throw me out, but instead she seems unconcerned. Still trembling slightly, I take the key of the locker from the counter, put everything except for my notebook and pen inside and lock the door. The bored guard then places my notebook and pen in the x-ray machine. Behind the machine, there are two open cubicles with blue curtains. I step inside one and a female warder follows me in, draws the curtains, and starts patting me down.

A Direct Supervision Officer (DSO), as G4S likes to call their prison guards, is called and he leads me through heavy double doors into a square space without windows. The posters on the wall are the only distractions. Pictures of objects you are not allowed to bring into the *tronk*. Warnings about the health hazards of TB and HIV. Visiting hours. Clothing rules. No short skirts.

A second door springs open, clearly operated from elsewhere, as the DSO didn't touch anything. The courtyard on the other side of the door is bathed in harsh sunlight. As I walk across the yard to the visitation building I see the prison gardens. In the distance men in blue prison uniforms push wheelbarrows along, into a polytunnel. A chain link fence alongside a path divides the garden from the fields of grass within the prison compound. Men with spades and rakes slung on their shoulders pass through a narrow gate in the chain-link fence.

The prison is built in a square compound, with the seven prison units built along the four sides of the square. The hospital, church and educational center are in the middle of the square, dividing the compound into two parts. G4S calls these two parts Campuses.



Mangaung Correctional Centre

The units are named after prisons that G4S ran, and mostly still runs, in the UK and Australia. To the left there is the Altcourse unit, named after a prison G4S opened in Lancashire (UK) in 1997. Next to it is Buckley Hall, named after a prison that Group 4 – G4S's predecessor – ran in Manchester until 2000, when the state took over the management of the prison. The neighbouring unit, Mount Gambier, is named after a prison the company runs

in South Australia. In Bloemfontein, this is where inmates go who are enrolled in some form of remote or on-site educational programmes. The neighboring unit, in the far right corner, is called Port Phillip, also named after an Australian G4S prison. Then, also in the far right corner, is Rye Hill, another UK prison's namesake. Next door is Wolds, named after a Yorkshire prison. (G4S lost the contract for that prison in 2012 due to poor performance.) In Bloemfontein Wolds is where troublemakers are sent, often for a stay in a street – this is what the corridors with cells on both sides are called - with only isolation cells, also known as 'intermediate'. In the lower right corner, sits the unit with the craziest name. 'Broadway' is made up only of isolation cells and prisoners who are either in need of protection or those who others need to be protected from are sent here. Broadway does not reference one of G4S's English or Australian prisons. An isolation unit, where people sit alone in their cells all day, is named after a place famed for its entertainment and art. I wonder what the corporate officials tasked with providing names for prison units were thinking....

The reception area sits in the middle lower part of the square, facing the main thoroughfare, Dewetsdorp Road, in the distance. The visitation space is behind reception, dividing the compound into two campuses – to the left of the buildings in the middle is Campus A and to the right Campus B. The prison hospital, run by subcontractor Faranani Health Care (currently known as Life Health Care), is behind the visitation space, and next to it sits the gym – right in the middle of the square. Lastly, close to Port Phillip and Mount Gambier units, is the church and the education center.

I walk into the visitation building, past gents and ladies' toilets, to a receptionist. I hand over the list of prisoners that I had faxed through the day before. She runs the details through the internal system called Resident Administration System (RAS).

L.'s mugshot pops up on her computer screen. Personal information is listed around his face. Race: black. Nationality: Xhosa. Age: 38. He is a clean-shaven man but deep-set, piercing eyes look menacingly at the viewer. His lips and eyes form a silent scowl with his eyebrows scrunched together and his eyes whisper 'what the fuck are you looking at?'

I walk through the visitation space, which feels and looks clinical: its ceilings high, its space wide open and clean and its walls whitewashed. Approximately 30 white tables and chairs are provided for visitors and their imprisoned loved ones. In the back, overlooking the courtyard, are two vending machines: one with crisps and sweets and the other with cool drinks. The place is empty and I keep walking, past two guards slouching in chairs. The interview rooms are not really rooms. They look like those old phone booths in dodgy phone shops where one could make international phone calls during the pre-internet era. One side of the room is a window overlooking the white wide visitors hall. Inside, a table and worn office chairs are squeezed together.

I take a seat behind the table.

I read through my old notes while I wait for L. and think back to the first time I came here, a few months ago, in April 2012. I had just been hired as an investigative journalist at the Wits Justice Project. I was eager to get stuck into an interesting case where the investigation would be challenging. When Bernard Selastin wrote to us that he had been wrongfully convicted of a murder in Fish Hoek, Cape Town, I wanted this to be it. The miscarriage of justice I would dissect, pull apart and write about beautifully. I would leave no stone unturned and the rays of justice would shine through the cracks of the broken criminal justice system to expose the glaring wrongdoing.

I met with him in one of these not-so-well aerated booths. Wide-eyed and wildly, Bernard tipped the contents of a plastic bag on the table. His papers lay between us like a sacrificial offering and he picked up letter after document after letter, passionately pleading his case. His despair caught on, because I started believing him, not because the evidence was weak or strong, but because he *seemed* so innocent, so honest.

After that visit, he wrote to me: 'You're an angel, sent by God'. I flew to Cape Town only to find out that he had known the murder victim before his death and that his palm print had been found in the house of the murder victim. I interviewed his best friend who told me he had noticed that Bernard was acting weirdly a few months before the murder, only to disappear after the crime was committed. His alibi, a guy purportedly called Ishmael, turned out to be a figment of his imagination, the investigating officer told me. This officer had attempted several times to locate him. So Bernard had thoroughly hoodwinked me. I learned an important lesson from this rookie mistake: never judge a potentially wrongfully convicted person by how they appear. The facts and evidence are all that count.

....

Now I look at L. as he appears and I think that the way someone looks - either like a crook or conversely, innocent - should not be relevant. He is a tall man with a two-day stubble and some patches of grey hair on his chin. It is September and there is still a pinch of winter lurking in corners, creeping into joints. During winter, the inmates at Mangaung Prison are each provided with a polyester fleece jacket, which they wear on top of their light blue cotton pants and shirts. The pants and shirts are a shade fainter than the fleece top, making the pastel assemblage seem rather too cute and sweet for a prison environment.

Nothing else other than his outfit is cute or sweet. He doesn't look at me, he glares.

"Hi, I'm L.". His voice is surprisingly soft and gentle.

He scans the room before he sits down. He looks at me measured and calculating. Then he starts interrogating me. Who am I, what is the Wits Justice Project and why am I here? What are my aims?

I try to answer his questions but we sit and look at each other uncomfortably. I decide small talk will break the ice.

Pointing at his tattoos, I ask him to explain to how he feels about his gang affiliation. He is a 26 gang general. The 26, 27 and 28 prison gangs rely on a set of rules and codes of conduct that were established and developed about a century ago. The bandit Nongoloza started the mostly unwritten mythology of the gangs. Nongoloza roamed the hills of Gauteng around 1900. He formed a gang, which later split into three separate gangs: the 26s, 27s and 28s. They lived according to an elaborate set of rules governing honour, sexual relationships, money, rank and information. Nowadays the rules of the gangs have evolved differently in each prison.

"26 means the second camp of the 27, which is the 'Holland' camp that deals with blood." L. leans across the table.

"26 is the camp of 'Grey'. The 26 deal with money and dagga and are not too much into blood. Unless there is a need." Grey, I later quickly google, was a man Nongoloza met in prison. He was there with a group of eight men, who weren't gangsters. To protect themselves against the violence and sexual threats of Nongonzola's men, they formed the 26 gang.

L. has warmed up. He is venturing deeper and deeper into the nooks and crannies of the endless folklore of Nongoloza's men, their allies and their enemies.

"When Grey and his eight men were in prison, he was asked who are you? 'I am Grey,' he answered, 'with the crown,' which was a reference to money. This is why the 26 gang is also called Grey and why we're known for our love of money," L. continues with his history lecture on the formation of the 'number' prison gangs. His eyes sparkle above the gap several missing front teeth has created in his smile. He looks a lot less menacing, I think. He is smart and well spoken.

L. has a tattoo of a scorpion on his lower left arm. The scorpion is a salute to the elite, multi-disciplinary crime unit known as the Scorpions which was disbanded in 2009 by vice-president Kgalema Motlanthe. L. claims they were chasing him before his arrest. That is how that word ended up on his arm.

He catches me looking at the roughly hewn picture on his skin. "I have another one," he says and he rolls up the sleeve on his right arm. "This one," he says pointing at a dark blob on his upper right arm that looks like a Rorschach test. "This is the beast." He laughs at me as I try to make out a figure.

"It refers to an ox that was stolen from a white farmer, a retired cop who used to patrol the mines where Paul Mambazo, also known as Po, used to work and where the 26, 27 and 28 gangs started."

"And see this," L. points to faded letters next to the beast. It reads "Fuck yu."

When he was 15 years old, around 1989, L. dropped out of high school in Mthatha to join the armed wing of the ANC, Umkhonto we Sizwe. He served under Ronnie Matshaya in a Self Defence Unit (SDU).

"After school I was carrying guns for the ANC and this led to mischief for survival," he continues. "I was driving many stolen cars after school and there were many girls chasing me. I used to park those cars in the school's staff parking lots. That didn't go down well with the teachers. In those days they still used corporal punishment and one teacher tried it on me, but I refused. I manhandled that teacher. It was unconstitutional, what he did." L. was charged and expelled. He was 15 years old.

L.'s family house in Mthatha was situated right next to a military base, where, in 1990 a failed military coup took place that claimed the lives of 18 people. Gunshots rang out above the camp, L. heard the explosions and he says it he riveted him. He joined the MK immediately after he was expelled from school. "After that coup there were a lot of machine guns dropped by soldiers running away," he remembers.

Around the time Mandela was elected president, L. got a job in the army and completed his military training at Port St. John's Special Forces Base. But in 1996 disillusionment set in and he lost faith in the ANC. "If you fail to take care of soldiers, "he says, "you invite trouble".

A robbery that went terribly wrong in 1998 launched L.'s career as a gangster. "I became the most feared thug in the area after I shot and killed a leader of a gang outside in Ngangelizewe township. I destroyed his gang. They used to terrorize the community and, unlucky for them, they robbed me. They came during the night. I overpowered them and shot two dead. I injured another four, one guy ended up in a wheelchair." L. looks at me. I try to remain cool, but that is a lot of bloodshed to digest.

"The community told the police: they robbed the wrong guy, he is a soldier." L. looks defiant, as if I had challenged him.

He was arrested for the murders but the case was dropped.

"After shooting those gang members, people thought I was a rival gang member, but I was not. I was a crime victim," he insists. Not long after the shooting he got involved in an armed robbery himself, during which he pulled the trigger and killed someone. It led to a life sentence.

"You changed from a victim into a perpetrator in a matter of months," I remark. "I became a gang inside," L. responds.

"I was so violent and angry during my trial, that they had to put me in an isolation cell." I can see what he means.

A warder knocks on the window. L. is a storyteller and I have gotten lost in the twists and turns of his tales.

The guard says other inmates are waiting for me. I think of the names on the list I had faxed through, names that belong to people who are now in the adjacent room where the shackled and unshackled – depending on their disciplinary record – men sit and wait for their visitors. Men who probably haven't had a visit in months.

"Can we continue this discussion about your court case later?" I ask L., just as he is explaining that he is a Grey 26 with a white stamp. This means he deals with money. But there are also Grey 26s with a red stamp - which means one also belongs to Camp Holland, which is 27 territory....

It is all about blood, fights, honour and money. But I am not here to learn more about the numbers gang. I want to know what he has to tell me about the prison.

I ask him what kind of information he has for me.
"Deaths in prison," he says, deadpan.

He tells me that he has drawn up lists with detailed information on the abuse that is taking place. That there is a 'soldier' in every unit. This means there will be a 26-gang member stationed at every unit in the prison, feeding back information to L.

"They are murdering us," he adds as he scrunches up his eyebrows, making his eyes look even more foxlike.

"In that prison hospital, people are being poisoned, injected, beaten up. I've lost count of the body bags".

I instinctively lower my voice. "What proof do you have?" I whisper.

"I have smuggled information out of the prison, you can pick it up at a lawyer's office in Johannesburg. Ask for Rachel, she works as a receptionist."

L. gets up. I stand up as well and shake his hand. He slips out the door and I am left behind in the stuffy room, with yellowy foam spilling out of holes in the upholstery, leaving a trail of crumbs on the arm rests and my shirt.

2.
L.'s List of the Dead

I pick up L.'s envelope at a small lawyer's office in Sandton. It is a boutique affair. My dusty worn-out 1985 Mercedes looks like it has time traveled among the many shiny luxury cars in the reserved parking bays in a leafy garden surrounding the office. I sit and wait until a smartly dressed Rachel appears and who hands me the envelope, and then disappears.

Most inmates up till then had told me about assaults, electroshocking, forced medication with some strange substance. They also told me about inmates dying of torture or abuse and suicides. L. said he had compiled lists of names of people who had experienced some or all of these things.

Back at my office, I open the envelope. L. has enclosed twenty handwritten pages.

He starts the letter by explaining what, in his view, is at the root of the problems at Mangaung Prison. "This institution provides a platform for certain individuals to flout rules as they please for their financial gain." L. writes in clear and regular capital letters, giving every word a measure of urgency.

He then writes about an inmate by the name of Vuyolwethu Mokoena, who died on 22 September 2012. Mokoena had stabbed a female Direct Supervision Officer (DSO) and that had landed him in 'intermediate' in Wolds, the section with single cells where troublemakers are usually sent. His lifeless body was discovered in the early morning by the night patrol, allegedly hanging from a window.

"This inmate's height is 1,8m and the height of cell windows is 2m, so it is highly unlikely for an inmate of that height to be able to hang himself," L. points out in the letter.

The dead man's cellmate, Simphiwe Daniso, claimed in his statement that he was in the cell while his co-inhabitant was committing suicide, but that he neither heard nor saw anything.

"This cellmate," L. continues, "wrote that the suicide happened at 9pm, whereas the night patrol men maintained that they discovered it at 6am, soon after Daniso warned them, on the same day. It is clear this inmate is hiding something."

I added Daniso's name to the list I had faxed to the prison for a visit the next day. Before I blew my cover, G4S could at times be surprisingly cooperative.

Daniso is a young man in his early thirties, with glasses and a scar above his eyebrow. Despite his gang affiliation, Daniso is afraid of speaking about the

cause of death of his cell mate. "Because of my safety, I must be careful of what I say," he says.

He does agree to talk about his cellmate Vuyo's last few weeks. Daniso tells me how Vuyo had become increasingly desperate before he died. It had something to do, he says, with several blood tests – for a range of illnesses, including HIV - a dirty needle and test results not coming back on time. "He asked me: these people, will they help me or kill me?"

Because I couldn't blow my cover at the time, I didn't ask for a response from either G4S or the Department of Correctional Services. In April 2019, however, I did send both the company and the department a list of detailed questions. I gave them a four-week period to respond. This is what they had to say about Vuyolwethu Mokoena's death: [1]

L. 's List continues

Isaac Nelani is the next inmate on L.s List of the Dead. I am reading his hand written notes on various issues, ranging from the exorbitant costs of phone calls, to the quality of the food and inmates dying like flies. It must have cost him days to compile these notes.

"The safety of inmates when they are in solitary confinement, is not guaranteed," he writes. "An inmate by the name of Isaac Nelani, who was removed from his unit to the Broadway unit (the solitary confinement unit), was assaulted and electroshocked and died there in 2005."

Nicholas Boompie Steenkamp was injected with a substance and died; a nurse allegedly turned off the oxygen support for Bosaka Mannitje; Hendrik Kruger ended up in a wheelchair; an inmate L. refers to as Mr. Mchunu was murdered when he was left inside a cell with a rival gang member, and the warder watched while Mchunu was being slaughtered.

L. smuggles more information out of the prison. Every time we meet, he presents a new case of a fellow inmate: Johannes Vilakazi underwent an operation on his stomach, yet he is still suffering from extreme abdominal pains; Zoli Zali has been re-classified to a medium security inmate but his requests for transfer to a medium security prison have been ignored for months; another inmate was raped by his cellmate. I write down all the details and later find that most of L.'s information adds up when I check the facts.

[1] A book based on this investigation will be published in November by Jacana Publishers. I need to not alert G4S, BCC or the Department of Correctional Services that I am writing a book before I absolutely have to. For that reason, I need to send them a list with detailed questions and offer them a right to reply as late as possible. I'm going to send them a detailed list of questions that haven't yet been put to them, such as the circumstances around Vuyolwethu Mokoena's death. I have never written about his case before, so there never was a need to ask them. The date of the launch of the book should dictate the moment I offer right to reply and send them questions they haven't answered before. This hopefully explains why the reply of G4S or BCC is, as of yet, lacking.

His advocacy on behalf of his fellow incarcerated men seems at odds with his carefully crafted image of a ruthless thug.

I think back to our first meeting when he deep dived into his personal and gang-affiliated history. He said that during that chat his decision to join the 26s did not originate from his love of the gangster life. It was motivated by a desire to help and protect himself and others. He told me how he saw a young boy being raped by a 28-gang member and the helplessness he felt because he couldn't do anything to stop it. He asked other offenders what he could do to fight this rape. They said 'nothing, unless you join a gang'.

L. took to the 26's life style. He was promoted several times. "I worked myself through the ranks, from stoneyard[2] to soldier, mountain, sergeant, major, captain, inspector and eventually made the top rank of general."

Nicholas Boompie Steenkamp's family wants nothing to do with an inquest into their son and brother's death. I find this out when I start researching his case. Steenkamp had raped and killed his own sister. The family never wanted to hear his name again. Without the assistance of relatives, it is very hard to investigate a death.

There was, according to L., an eyewitness to the death of Bosaka Mannitje. This person, a fellow inmate, alleged that Mannitje died when a nurse in the prison hospital turned off his oxygen support. The inmate's name is Barren Oor and he is supposedly incarcerated in St Albans Prison in Port Elisabeth. I phone the prison, but there is no prisoner there by that name.

These dead ends in my death investigations are overshadowed by the death of Isaac Nelani, a death I will investigate for three years before writing about it.

[2] According to L., this is a member with no rank

3.

The Madiba Clansman – Dan

"When an animal stops being tame, should it be put down?"

The Urban Hotel in Bloemfontein is the town's most earnest attempt at being cool. The interior is a shade of brown, beige and cream white. The rooms are lush and simple at the same time. Oval framed rugs are attached to the walls. A glass wall divides the shower and bedroom. While all other accommodation in Bloemfontein exudes a saccharine, frilly kind of homeliness, the Urban Hotel is decidedly cool and trendy, nearly aloof.

On the first floor there is a tiny bar. A barman serves beer, cold drinks and wine on little paper coasters. A TV emits a tinny rumble as televised sports flash across the screen.

I feel like I can't really breathe at the Urban: there isn't enough oxygen circulating, the building is too new and well insulated and the aircon sucks the humidity out of the air.

The dry air makes me thirsty, which is why most of my meetings with sources end up at the hotel bar.

Dan Mbelwane, a warder at Mangaung Prison, tells me he doesn't trust white people, the first time we meet, late 2012, at the suave bar. He sits opposite me in a hip plastic chair of moulded, transparent plastic. He spreads his legs and cocks his head. He assesses me like Tony Soprano trying to decide whether I will live or die.

Dan has piercing eyes and a permanent scowl around his lips. He is in his early thirties, with a shaved head while a thin goatee and moustache line his jaws.

Several times Dan asks me: "What are your terms of reference? What is it that you want?"

I explain, again, that I am a journalist. That L. recommended I speak to him. That L. had told me that a warder by the name of Dan was organising resistance among inmates and warders in the prison, that he was forging a pact between them. This had sparked my interest because I had never come across inmates and warders working together.

I'm armed with stories of some dozen inmates who have told me about unimaginable abuse, suffering and torture. I want to write about it and I'm hoping Dan can help me find further evidence.

He just looks at me while I explain. I'm not sure he is even listening.

"Medical files," I say to him at the hotel bar, reverting to a more direct approach.
"Can you access them?" I ask him.
"Of what?"
"Of the injuries, of course."
"I can get those," he says, confidently.

Dan and I meet several times over the next few months. He usually shows up an hour, two hours late. Sometimes he doesn't turn up at all and he switches his phone off. I have to practice patience, not one of my fortes.

Early February 2013, we meet again at the Urban. He shows up late, when I am on the verge of giving up. His wife accompanies him. She sits next to him, doesn't say a word but keeps a close eye on me.

I have nothing to trade with. Nothing to convince Dan that he should trust me, other than that I keep showing up. I visit Mangaung prison once or twice a month, the faxes are duly received and most inmates on my visiting list show up. I have spoken to approximately 40 inmates by early 2013. Yet, all I have is story after story of inmates who claim to have been electroshocked, beaten up, and who show me their scarred, swollen, bruised and broken limbs. There are men who had been placed in isolation cells for up to four years. I have watched prisoners stumble towards me, out of their minds on some substance that the prison was forcibly injecting them with. A substance that made them robotic, zombielike and very tired. All I have after months of research are their harrowing stories.

Dan listens and talks, but he doesn't give me anything.

Before he leaves, he waves a blue paper at me.

"You see, here's a medical file. Warders broke this inmate's hand, but look, there is nothing, no mention of an injury. Nothing. That is how they cover up," he says. "I have a lot of information. A lot. Everything you want."

I think: I want that paper. I really want that paper.

I try to take the blue paper from his outstretched hand to check if what he said is true, but he flicks it back in his coat pocket.

"Don't worry." He is smiling slyly, nearly conspiratorially. "I have a lot of information. A lot. And there is more where that came from."

As he is leaving, Dan remarks casually: "I once beat up an inmate and broke his hand." He refuses to divulge any further details and I'm not sure if it is a warning or if he had just let it slip.

The next time I see him, March 2013, he brings one of his sidekicks - a skinny guy with a wispy moustache who doesn't say much but nods a lot. They both work for the union, the Police and Prisons Civil Rights Union (POPCRU)

I had just heard about Isaac Nelani's case. L. tells me Dan knows more.

The inmates I had interviewed had whispered his name. On a cold winter's day in 2005, they say Nelani complained that he wanted more blankets. Guards then beat him up so badly that he died. Prison management repositioned the body and tried to make it look like a suicide.

"He didn't hang himself, that much I know," Dan says when I ask him. The skinny guy nods solemnly. "Management made it look like suicide, they hung a jacket around his neck and attached it to the door."

"They keep inmates like tamed animals in cages. When an animal stops being tame, should it be put down?" Dan asks me rhetorically. The skinny guy smirks, daring me to answer that question.

After Anneke La Grange approved my visits to the prison, I capitalised on that access. Over the years, I have interviewed or spoken to around 100 (former) inmates, both in and outside the prison.

In April 2013, I return to Bloemfontein. By this time, the Urban's sense of cool has waned on me and I opt for one of the many guesthouses run by an Afrikaans family. There is always an overweight sausage dog sniffing for food scraps, framed saccharine little mottos dot the walls, and Christian paraphernalia adorn every corner of the house. But all this *truttigheid,* as their Dutch ancestors would have said, is actually, at the end of a long stressful day, quite comforting. More importantly, fresh air circulates through those houses, something that does require disconnecting the electric air freshener that spreads a vomity sweet odour if left connected.

Seeing as the hotel bar is no longer an option, I decide to hide in plain sight. I meet a string of sources at fast-food chain Wimpy in one of Bloemfontein's busy, bustling malls. All they have to offer a vegetarian is a soggy, toasted cheese sandwich – add salad and bread to that and you have the entire available vegetarian menu in Bloemfontein.

I'd been waiting at Wimpy for an hour before Dan shows up at my table with one of his 'soldiers', as he calls the small cabal of young men who are working with him to "bring down G4S," as Dan will provocatively announce in their presence. They sit at his side silently. When Dan speaks, sparking hopes of a revolution, voicing disdain for the 'dogs of capitalism', they nod vigorously. They are disciplined and only speak when Dan asks them to.

The two men take a seat in the red pleather seats opposite me. I see it's the skinny guy again.

At Wimpy I also notice that my commitment to the story is wearing down Dan's distrust of white people. He starts talking in the plural.

"Don't worry," he says. "We'll get them."

I also notice for the first time at Wimpy that he is not carrying a cell phone. He barely looks at me when he talks but rather scans the steady stream of people coming through the revolving doors at the entrance of the mall. And as we leave, I notice he hasn't parked his car in the parking basement of the mall.

Dan hates how G4S workers are treated at the prison. He speaks about racism, corruption and negligence. For years, the warders have asked the management to replace the ceramic toilet pots in the cells with iron ones, because the sharp, shattered pieces of the ceramic pots too often end up in warders' arms, legs or hands.

A female warder had been raped. A male guard died. Officially he had not died from his stab wounds. But he had been stabbed a dozen times and died three months after the last stabbing. Not one of the warders who were assaulted, stabbed, taken hostage and raped, was offered any counselling.

The union, POPCRU, compiled a list of thirty detailed complaints over the period 2005-2012 about the unacceptable levels of violence in the prison.

"DSO Kgopane was assaulted on the head and sustained serious head injuries, later passed away, after resigning."
"Tshepang Khaphe was stabbed in the head at Buckley Hall in January 2012 and was given one day leave and dismissed on (sic) 2012."
"Tutu Motshelamadi was assaulted with a pool ball in Port Phillip and sustained serious head wound." [3]

Management dutifully received the petition, but never addressed the problem. The toilet pots to this day are ceramic, warders' salaries have not been raised in a decade despite stiff inflation.

"You were at the prison today," Dan tells me as we sit down at Wimpy again, several weeks later. He rattles off the names of the prisoners I interviewed. "My soldiers," is all he cares to explain when I ask him how he knew I was there.

Dan has eyes and ears in every corner of the prison complex. His acute understanding that the prisoners and their guards have to work together, is novel to me. Prisoners and their guards might strike up individual friendships here and there, but on the whole, in my experience, they more often than not dislike each other. But at Mangaung , the jailer and the jailbird had formed a team.

This unorthodox idea evolved into a liaison when Dan met prison gang general L..

[3] Police and Prisons Civil Rights Union (2013), Petition: Immediate Upliftment of Suspension: Institutional Secretary,: Dan Mbelwane and Four (4) Others, 9 September 2013.

"L. worked with inmate Phosa, both are from the Eastern Cape. They used to call out my clan name when they saw me: 'Hey Madiba!' Later, he approached me and asked me if he could trust me. I said that he should never trust me, because he is an inmate and I am an officer. Before we can talk, I told him, you need to contact all the high-ranking generals and officers and tell them to stop stabbing guards. He was clever and I believe I influenced him positively and we started to have a workable understanding of the role of inmates and the role of warders," Dan says. His soldier nods.

Both parties – the prison generals and the prison warders – agreed early 2013 that there was unchecked violence inflicted on the tied-up bodies, shackled limbs, and swollen body parts of inmates. They also agreed that the warders were subjected to similar unnecessary levels of violence.

Dan speaks about the racial demographics in the prison a lot: both warders and the people placed in their care are black, whereas the prison management is predominantly white.

Through that racial lens Dan saw the inmates as fellow human beings and he developed a more benign relationship with the people placed in his care. He observed how white staff was either offered administrative positions with minimal interaction with the prison population, or that they joined the heavily armed and therefore relatively safe Emergency Security Team (EST) - also known as the Ninjas or Zulus. The unarmed Direct Supervision Officers (DSOs), as G4S calls the prison guards, who work in close quarters with violent inmates, are predominantly black.

"G4S views both the workers and the inmates as a commodity. The company doesn't care if we are safe, or if our lives are protected. All black bodies are 'cash cows' to them," Dan concludes.

I wonder how these meetings of warders and prisoners worked out within the four walls of Magaung prison. I imagine L. with his fellow prison gang dignitaries and Dan and his posse casually leaning against a wall. Some inmates are posted on lookout points. They would have first carefully selected one of the many CCTV blind spots in the prison, most often in corridors or supervisors' offices, the same spots where a lot of inmates are assaulted. To mask the true nature of their get-together, there would be a lot of small talk and very little time. Notes quickly exchanged, letters smuggled out of the prison.

"L. was my messenger. He convinced the other generals that the stabbings had to stop. We had to stop killing each other, as this is exactly what we did during apartheid: black people were killing each other. But then they united and brought down the system. We wanted to work together to get rid of G4S, so the Department of Correctional Services could take over. That was our shared aim. We agreed there and then that no one shall be abused by either party anymore."

Dan smiles.

"You know, if life had turned out differently for me and I had ended up in prison then I think I would have been a general. Being a leader is in my blood, it is written into my clan name," he says.

Dan and I meet again a month later. This time he arrives alone. One-on-one, Dan doesn't shout from the pulpit as much. He is more personable and relaxed and this time he opens up and starts talking about his background and family - his roots.

Dan was part of the class of 2008. A young gun at 23 years old, he loved the authority of prison work, and the uniforms and adrenaline rush associated with that authority.

He passed the three-month induction training for prospective G4S warders with flying colours. But his classmates didn't fare as well. "I remember HR Director Stephen Page entering the room and starting to shout at us. He said we were stupid and not worthy of being G4S employees. I immediately responded and told him that he cannot paint us all with the same brush, we worked hard and this is demoralizing."

Stephen Page noticed Dan. He asked him for his name and then told him he should lead his classmates and make sure their results improved. After several weeks Dan had inspired everyone to improve their efforts and 90 % of trainees passed. Page was impressed.

This interaction has become a pattern in Dan's career. He would impress and stand out, because he spoke out fearlessly. His peers looked up to him. The leadership would try to co-opt him. That, in turn, led to attempts to contain him when it became apparent that he would not back down or fall in line.

"If you were smart, critical or outspoken, the company either promoted or fired you," Dan says. When Page noticed him, Dan seemed destined for promotion.

During his induction training Dan was also offered membership of the Police and Prison Civil Rights Union (POPCRU), which was unusual, as membership is normally awarded to workers, not trainees. Page took him aside to congratulate him. He told him POPCRU shop stewards could become HR managers if they performed well.

Thabang Molise, POPCRU's institutional secretary at the time, also noticed Dan.

"Molise came and found me in the locker room after training. 'You are the future here'," he said to me. "He then handed me a POPCRU member card. Before I had even started my job!"

G4S later hired Molise as an HR manager, a position he still holds.

What initially drew the prison management and the union to Dan is the same thing that ultimately repelled them. He is an assertive, well-read and conscious black man - a state of mind that would nowadays be described as 'woke'.

Dan had grown up in a family of five in Bloemfontein, with a Xhosa father and a baSotho mother.

"I hail from the same tribe as Mandela. I'm a Dlomo, Madiba, Yem Yem, Uvelebambentsele, I'm from the Thembu clan. We are Kings and Chiefs."

Dan looked up to his cousin, who took the place of his older brother, after the latter had died in a car crash in 2002.

"In 2004, just after I had finished high school, my cousin gave me *I Write What I Like* by Steve Biko. It changed my life and really inspired me, it shook my world. If I had been born in the seventies, I would be dead," he tells me.

"I finally understood that no one has to feel inferior because of his race. But first I was a bit afraid when I read that he believed Jesus didn't exist. I thought this man will take me straight to hell!"

"My cousin said to me: 'I think you should pursue politics. Leave analysing soccer on the television. One day you will see yourself in Parliament.'" His cousin also recommended he read the *Mail and Guardian* so that he could stay abreast of political developments in the country.

"I can tell you this, when I first arrived in the prison, during the first two weeks, and I brought my M&G, it raised eyebrows. Everyone was watching me."

After a while his colleagues started asking him what he was reading.

"I recommended *I Like What I Write* to everyone and told them: read it, understand the message. It will inspire you as a black person to believe in yourself. My brother gave me the book for a purpose, and it made me what I am today. I followed that book."

4.

Zombies and Robots

"I don't know what kind of illness they think I have."

One hot summer's day I drove into Grasslands, one of the townships hugging the city of Bloemfontein. I had locked the doors to my car, a quintessential paranoid South African measure to keep the criminals at bay. I turned my head to look at the passengers on the back seat. Three former Mangaung inmates looked back at me and I realised that I was actually doing the reverse: locking – former – criminals into my car.

We pulled up to a car wash that Thabo Godfrey Botsane[4], who was incarcerated in Mangaung prison from 2005 to 2013, was in the process of building. Two rusted metal arches crossed on a concrete elevated square. All he needed now, he said, is a roof or netting, a vacuum cleaner and a high-pressure hose.

Across from his skeleton car wash a gaggle of men sat around a table. "*Hey, ons soek werk*," they yelled when they saw me. "You think every white person is Afrikaans," Thabo shouted back at them, laughing. "They sit around all day, drinking and taking drugs," he said as we drove off. The men on the back seat were silent as they stared out of the window at the dusty township. Unemployment was high and the sight of young men with blood red eyes, seated around a gambling table, quarters of beer balanced on their laps was common in Bloemfontein's townships.

After I interviewed the men on my back seat who had recently been released from Mangaung prison, and who shared stories of torture and abuse with me, Thabo showed me around his home. The last time I had met him, about six months earlier, he had built three walls. Then his money had run out. There used to be a roof on the walls, but a storm had blown it off. At the time he was fretting about getting through the rainy season. Thabo desperately wanted to get out of the tin shacks where he and his wife lived.

Six months later, I walked into his yard and saw Thabo's two-room house. Not only did it have a fourth wall, it had windows, a front door. And a roof.

Every time I met Thabo, I noticed his potbelly had grown. He patted and rubbed it like it was his pet. It seemingly expanded with every incremental slice of happiness: after his release he had found a wife, they had had a baby and now he had built himself a home. These are big steps for anyone, but they are huge achievements for a formerly incarcerated person.

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[4] Botsane has been interviewed by me before, for this article: https://mg.co.za/article/2013-10-25-00-mangaung-prison-is-a-private-hell (accessed on 03/03/2019)

The first time I met Thabo he had just been released from Mangaung prison in March 2013. He was much skinnier. His eyes stood out in his moonfaced face.

In a gravelly voice, tarred by years of heavy smoking, Thabo told me what had happened to him in 2009, when several inmates at the Broadway unit had decided to take three warders hostage, to protest the prison conditions. Thabo was in a single cell at the time. He claims he had nothing to do with the hostage taking, but that he rather got swept up in it.

After a special police unit was called in to quell the revolt, the Ninjas took revenge. "The EST guys came to my cell, they stripped me naked, they poured water on me and then they started electroshocking me. I was lying naked, on the floor, face down and they beat me, kicked me and beat me again. After that a man who works for the intelligence unit in the prison, I think his name was Jacu, entered the cell and injected me in my buttocks. I tried to resist, but the Ninjas held me down. I fell asleep immediately and woke up feeling like a zombie. I felt lethargic, I couldn't move properly, I couldn't remember what had happened exactly," Thabo said wringing his hands. "While I was in Broadway, I saw several inmates hang themselves. I started to think this might be the solution for me as well."

Thabo was the first inmate to tell me about an injection. I had received letters from guys complaining about these 'injections' that made them walk, talk and act like zombies or robots, but I had not yet spoken to someone who had experienced it.

In November 2012, I received an anonymous letter from a Mangaung inmate with the unimaginable allegation. I had to read and reread the sentence several times: "G4S have a system they use by injecting prisoners with tranquilizers that are being used for animals. Just to think, it drops an elephant down, what about a human?"

This letter was a call to action for the Wits Justice Project to investigate a long list of allegations, ranging from corruption to neglected transfer requests. Most of the complaints sound sadly germane to South African prison life. But the reference to the use of animal tranquilizers stayed with me. I had never come across anything like it.

L., who had never been injected himself, had mentioned the 'zombies' or the 'robots' in our discussions. He promised to smuggle out further information on inmates who were being injected.

L. was a man of his word. I picked up the second batch of letters at the swanky lawyers' office in Sandton, where I had picked up L.'s first batch of letters. Rachel reappeared, suited up and businesslike, and handed me more of L.'s handwritten information in a big yellow envelope. 'Victims of Injection' was the title of one of the lists. After listing seven inmates from the unit Buckley Hall who were being injected, L. pointed out that "Buckley Hall has a housing capacity of 488 inmates. The question is," he continued, "if one unit can have this number of inmates on injections, [then] how many inmates are there in

other units who are also subjected to this illegal treatment? Mangaung has a total number of 2928 inmates". His maths suggested that, at that moment in time, there could be at least fifty inmates at Mangaung who were being injected with an unknown substance against their will.

By the time I received L.'s letter I had already spoken to several inmates who had complained about forced injections. They told me that the Ninjas would be called to incidents – ranging from a dispute about food to a full-on prison riot – which the inmate was accused of causing, inciting or aiding. The Ninjas would escort the perceived culprit to the hospital where they would hold the inmate down so that the nurse or doctor could administer the injection in the buttocks of the incapacitated man. The doctors and nurses would not tell the man what kind of medication they were administering. The prisoners told me that the medical staff, employed by the Durban based company Faranani Healthcare, acted under the orders of prison management the latter would approve injections for 'troublemakers'.

The list of inmates who say they were injected with an unknown substance that made them walk, talk and move like a robot or zombie, grew. None of the prisoners knew what the name of the medicine was. Some said they saw the nurse shake a bottle of transparent fluid, which made it turn yellow. Others were force fed tablets. I listed every single inmate – approximately twenty men - who claimed to have been forcibly injected or given pills and I saw them in back-to-back meetings at the prison.

While the men had no knowledge as to what substance was rendering them zombielike, they did know that the side effects of the drugs were horrible.

Simphiwe Ambraal sent me a letter early April 2013. Stapled to the letter was a little plastic bag with *Mangaung Prison Pharmacy* and the address of the prison on it. I opened the bag and small pills tumbled out. One package held six pills called Clomidep and three others looked like paracetamol in packaging with the name Leponex printed across it.

"I quit taking these pills in May 2012 as they were making me feel (like) a zombie where I will always feel tired and delusional. I sometimes will hallucinate and see things that are not there. My body will go numb and I will find it difficult to even raise my hands or wash myself. Then on 22 March 2013, I was forced to take them again but I refused and I was forcefully fed them. (...) I'm a person who is not aggressive so I don't know why I am forced to take these pills as I am not on any medication for any illnesses, diseases or physical problems."

Ambraal's letter and its contents provided the first clue as to what the substances were that the prison was using to forcibly medicate the inmates.

I googled the names of the medications and found out that Leponex is used for schizophrenic patients who are treatment-resistant. Clomidep is marketed as a drug that treats obsessive-compulsive disorder. However, Ambraal claimed he had no mental health issues. On 25 October 2007, Ambraal was convicted of

an armed robbery. He was considered mentally fit to stand trial and was sentenced to 12 years imprisonment. If he were a schizophrenic, he would not have been considered fit to stand trial.

I added his name to my list when I visited the prison again in April 2013. By this time, I had been visiting the prison for seven months and the men and women at the reception desk smiled at me like I was a regular in their bar. No one seemed to wonder why I was seeing ten inmates in a day or why I interviewed another ten a month later. I kept my head down and smiled, chatted and laughed with the warders, while I kept adding names to my list.

Simphiwe Ambraal was a big doe-eyed man who said he was complaining loudly about his transfer request, which had been ignored for months, when the men in black arrived to take him to the hospital.

"I saw men being injected here in prison," he told me, his eyes big. "That is why I requested a transfer, I was afraid they were going to do the same thing to me."
Ambraal's fear became a reality in May 2009, when the Ninjas fetched him from his cell, accompanied him to the hospital unit, and where they forcibly held him down as a nurse plunged a needle into his buttocks. The unknown substance made him sleepy, gave him a dry mouth and made his jaws feel "like they were crossing over each other." From then on, he was injected every month and when he protested, the Ninjas would tell him to shut up, because he was 'mad'.

"I saw the nurse shake a bottle, the fluid in the bottle would turn yellow, then she would inject me with it," is all that Ambraal remembered of the substance.

Then in 2010, the injections suddenly stopped. Not long after that, he was told to take pills, the same as the ones he had sent me. But he refused, so they force fed them. The side effects were similar to those he experienced following the injections. "I don't feel like the same person anymore," he said.

Aubrey Buthelezi is a handsome man with a muscular body and delicate features that are offset by some missing front teeth. He was similarly considered mentally fit to stand trial when he was accused, and convicted in 2009, of an armed robbery. But in Mangaung Prison, following a spat with a fellow inmate in 2010, the Ninjas told him he was "mad". The injection was forcibly administered after the Ninjas had allegedly assaulted him because he had been involved in an attempt to burn mattresses, - one of the few and typical ways inmates in prison can express their discontent. Several Ninjas had held him down on a hospital bed and a nurse injected him in the buttocks. From then on, it happened every week.

In July 2012, Buthelezi claimed, they stopped injecting him without providing any replacement medication for his perceived "illness". "They upped the dosage before they stopped injecting me and I think they saw the side effects

and decided to stop," he related. "It feels like you're about to have a stroke. I was taken out of the cell, as my neck was permanently hanging to one side. I could barely speak. I couldn't feel my hands All my muscles were stiff." He described the other side effects: dry mouth, poor concentration, loss of memory, jitteriness, fuzziness, excessive blinking and excessive sleeping.

The 'tronk' made him crazy

The name James Mothulwe was on everyone's lips when I asked inmates and warders about the injections. They told me he was the worst affected inmate. "His neck is paralyzed," one guard said. "They overdosed him," another claimed.

I watched Mothulwe as he walked towards me, his head bobbing from side to side. There was something wrapped around his neck. He walked with a limp, his hands were shaking and some spittle was dripping from the corner of his mouth. The thing around his neck was a brace that he fashioned himself to stabilize his neck. He shook my hand and took a seat opposite me. His neck was not paralyzed, but seemed spastic, his head pulling back and bobbing forward in short, involuntary bouts. He couldn't keep his neck in an upright position.

He placed a hand on the table and it immediately started twitching and moving erratically from side to side. I asked him what happened.

Mothulwe, who was also considered mentally fit to stand trial when he was accused and later convicted of rape, was injected for the first time in 2002, following a suicide attempt. "The EST guys held me down and the nurse came and injected me in the bum," he said with a stutter, saliva dripping down his chin. "After that, they injected me once a week." No one told Mothulwe what they were injecting him with. Every week, the EST appeared at his unit and took him to the hospital. There, Mothulwe protested loudly and sometimes physically. The EST men held him down and the nurses injected him. His cries bounced off the hospital walls, instilling fear and dread in other inmates. The substance started wreaking havoc on his body and mind.

"The side effects start after about seven days. My body felt stiff, I became more depressed, I started shaking and getting nervous tics." Despite his dissent, the prison and hospital staff kept the forced medication going for another five years.
"In 2004, the side effects had become really bad. I started getting fits and couldn't move my body anymore. My left hand stopped working. Then the entire left side of my body became weak." I looked at his left hand, it was folded up, fingers hanging off the table, twitching.

In 2007, Mothulwe's side effects became unmanageable and the injections stopped. "A medical guy in the hospital told me: 'if they keep this up, you will die in here,'" Mothulwe said and he paused briefly, his hand still jerking involuntarily on the table.

Mothulwe was struggling with spasms and loss of muscle control in his neck, face and hands when I interviewed him, six years after the injections had stopped. He never found out what they injected him with. The medical staff at the prison hospital, run by Faranani Healthcare, did not tell him or help him with his neck issues. Mothulwe applied to see his medical files, but was refused. Just like the other men who were injected - some once off, others for sustained periods – Mothulwe's 'symptoms' that, according to the medics at Faranani, required the forced medication in the first place, did not return. He was not given any replacement medication either.

The drugs did give him a neurological disorder known as tardive dyskinesia - a permanent disorder of the nervous system that can occur as a side effect when anti-psychotic drugs are overdosed for long periods of time. There is no known cure.

The group of men I had interviewed did not all have mental issues although some were clearly affected by a mental disorder. But others didn't seem delusional or confused. Some men were injected regularly, others once off, like Thabo. The men had given me names of the doctors and psychiatrists who were prescribing the forced medication. I phoned Mrs Mngomezulu, the psychiatrist who had not only prescribed Mothulwe's medication but had also given him some tablets to mitigate the side effects. "No comment," she said quickly, before she hung up on me.

Thabo's injection seemed blatantly illegal, as it was, according to him, administered by someone who was not a medical professional. Thabo had no history of mental health issues, and moreover was only injected once and was not provided with any replacement medication for any illness they might have thought he had.

But what about the others, what about Sello Mogale, a man who barely remembered his name? Or Jan Botha, who spoke about "spiders crawling into his brain", or Vuyo Ntshobololo who was convinced he was the son of God? Can doctors decide to medicate mentally ill people without that person's consent?

Forced medication is allowed under South African law, under very strict conditions. The Mental Health Care Act requires that the intended involuntary treatment is first approved by the head of the healthcare institution. At the time of the application the mental health patient has to be incapable of making an informed decision and he or she has to pose a danger to his or her own safety or that of others. A spouse, guardian, partner or parent may make this application. It is only when the spouse, guardian etc. is unavailable or unwilling to make such an application, that the health care facility may do this. The application must leave a paper trail in which the reasons and period and nature of the treatment, are explained. Two independent medical physicians then have to authorize the involuntary treatment.

Marius Delport worked as a psychiatrist for DCS for years. I phoned him and shared the details of what the inmates had told me about forced injections. "Medical health professionals are not allowed to give medication without having observed and assessed the patients," he said.

"Who is prescribing this medication? These are not the type of drugs that should be freely available. Half a Valium pill would probably be more appropriate to the cases you described. Forced medication is rare and can only happen if the inmate is a danger to himself or others, when that person is no longer in touch with reality and therefore has no insight or he cannot argue. If this is not the case, and the conditions of the Mental Health Care Act are not met, then forced medication is a serious violation of human rights," Delport elaborated.

Psychiatry Professor, Albert Janse Van Rensburg from Wits University agreed. "Two clinicians need to carry out an examination of the patient. When all the requirements are met, the patient should be placed under observation for 72 hours while the medication is forcibly administered. Giving anti-psychotic drugs to people to subdue them is hugely problematic."

I wonder what happened in Mangaung and who had first arrived at the idea? Was it the head of prison? A G4S manager? Or was it the company that ran the hospital, Faranani Healthcare? EST guards told me they were called to give an injection about once a week.

The needle had clearly become a weapon.

JR was a small old guy who worked as a nurse at the hospital. He had bloodshot eyes, an unstable tread and made few attempts to hide his love of alcohol. His speech was permanently, mildly slurred, his eyes out of focus, his skin pockmarked. There was a tired doggedness about him.

After interviewing the inmates who were being or had been injected, I phoned JR. We agreed to meet at his home. I had a six-pack of beer with me. I parked outside and he clambered into the car, clearly not intending to invite me into his house. His eyes lit up as I handed him the six-pack.

I told him about the zombies I had met, their erratic movements and absent stares. I spoke about James Mothulwe and JR nodded. He grabbed my notebook and started scribbling, without saying a word. Then he handed it back. Clopixol Depot 50/25 mg and a muscle relaxant, he wrote. Next to it: Modecate, 0.5 ml. Etomine: calms down, Risperdal, his list continued. He told me he had checked the medical files of several inmates I had spoken to and this was the medication they were being given.

"They give them anti-psychotic drugs and heavy tranquilizers," JR said when he has finished writing. I asked him who ordered the injections.

"All injections are authorized by the prison management and the DCS controller".

Then he scurried out of the car before I could ask him further questions, the six-pack clutched firmly under his arm. As he was getting out, he said I should talk to his friend Joe (not his real name), who used to work in the admin office of the hospital, from 2001 to 2012.

When I phoned Joe, he was surprisingly friendly and agreed to meet with me that afternoon in the hotel bar of the Urban. When I arrived, I saw him sitting in a cupped chair at the bar. He was an overweight man, who breathed heavily. There was a moustache of sweat drops on his upper lip.

Joe used to see managers and warders pop into his office, casually walk over to the filing cabinet containing alphabetically ordered medical files, flip out the folders and quickly insert or take out papers or rewrite bits.

"After they have assaulted an inmate, they bring him to the hospital. A few hours later, they return to see what the doctor has recorded in the medical files and then 'correct' it to suit them."

Joe shifted uncomfortably in the cupped chair and I could hear his laboured breathing.

An inmate I interviewed told me that an overweight admin assistant working in the hospital had injected him. He said the man wasn't a nurse, yet he had administered the injection, in the Broadway section, after warders had beaten him up.

"Have you ever injected an inmate?" I ask Joe.

Joe looked at me and blinked a few times.

"No, never. I'm not qualified," he said.

Joe was the only admin assistant working in the prison hospital, so either he was lying or the inmate who claimed that Joe had injected him was lying.

I asked him about James Mothulwe.

"They overdosed him. That's why they stopped the injections in 2007. The drugs' side effects took over. He can't control the muscles in his neck. He was a quiet guy when he came into prison. The *tronk* made him go crazy," Joe said. From 2005 to 2007, Joe saw nurses inject James with increasing frequency.

"Mothulwe was so stubborn," Joe says. "He was strong too! But prison made him crazy. After the injections stopped, James was still a zombie, unable to hold his head up, unable to speak clearly."

His leather jacket bulged on his meaty shoulders. His hand was wrapped around a coke. Ice cubes tinkled as they collided against the sides of his glass.

I looked up the medication JR had written down in my notebook. Pharmaceutical websites described them as anti-psychotic drugs, mostly prescribed to treat schizophrenia. The drugs all have similar side effects: drowsiness, sleepiness, involuntary movements, weight gain, dry mouth, headache, anxious feelings and in the worst case: stroke and death.

As I worked my way through medical terms and academic publications on the anti-psychotic drugs, I wondered if Mangaung prison was a unique case.

It was not. In Soviet Russia, during Joseph Stalin's reign – from the 1930s to the 1950s - political dissidents were sent to the work camps known as the Gulags in remote Siberia. Political dissent was classified as a psychiatric disorder and the affliction was known as 'philosophical intoxication'. In order to 'cure' their mind-set, the dissidents would be injected with Haloperidol, a first-generation anti-psychotic drug. Well-known poets such as Joseph Brodsky were injected with Haloperidol for punitive purposes or simply to break the prisoners' will.

More recently, in 2012, the US State Department was widely criticised when a Pentagon report surfaced, which detailed an abusive practice. Interrogators at the notorious Guantanamo Bay prison were forcibly administering a "truth serum" to terrorist suspects, with the hope of extracting a confession during their interrogation. Prisoners described feeling "groggy" and "delusional". Some inmates, according to the report, said they were told they were being given a flu shot.

In Soviet Russia and in America's Guantanamo Bay, the forced medication with anti-psychotic drugs was politically motivated. In Mangaung prison, men like Thabo Godfrey Botsane were being targeted; he was not mentally ill and he had no history of mental illness. Had the needle become the newest tool of torture?

Warders told me to talk to a guy called S. He had worked in the hospital until 2012. By the time I spoke with him, in January 2013, he was no longer working there but his memories of the prison hospital were still fresh. It escaped me why a nurse, who was responsible for the forced medication, would want to speak to me, so I took whatever was offered. No questions asked.

We met at a coffee shop at the Lough Logan mall, also known as the waterfront mall in Bloemfontein. It is a swanky shopping centre, with marble

floors and escalators and fairy lights, but the waterfront, a man-made lake in front of the mall, looked dismal and forlorn.

S., in his forties, had a disarming smile. Not the type to partake in forced medication, I thought. But appearances can deceive.

"Etomine will make a man go to sleep," he said after confirming he was regularly required to inject inmates against their will. "He will wake up and feel nice and dull and will not feel like doing anything," he continued. "There are two groups of inmates who receive the injections. Those with mental health issues and those who are being 'difficult'."

"What do you mean by difficult?" I asked.

"There was an inmate called Bheki, a guy from KZN," S. answered. "He used to make a lot of noise. They gave him anti-psychotic drugs and he became like a zombie."

"Who orders these injections?"

"Faranani never take any decision on their own, they always take orders from the prison management."

A few days later L. slid some pills across the table when I visited him in prison. It was again Leponex. This still doesn't prove a lot, I thought, as I slipped them into my pocket.

I realized I needed harder proof of the forced medication, so when I got back to Johannesburg I phoned Egon Oswald, a Port Elizabeth-based lawyer who sued the South African government before the Human Rights Committee in Geneva, for the torture of 231 prisoners in St Albans prison in Port Elizabeth. While Geneva ruled that serious human rights violations had taken place, requiring urgent redress, the domestic courts ignored the UN body and, in a civil case, ruled in favour of the state. The NPA declined to prosecute the case of well-documented torture. Oswald had pursued the case for ten years through the domestic courts before he headed to Geneva. He is one of the very few lawyers in South Africa who defends the human rights of inmates.

"In all my years as a human rights lawyer, I have never come across forced medication with anti-psychotic drugs on a prison inmate population," he said. We were in the boardroom at the journalism department, going through my files and interview notes.

Oswald was well versed in prison torture. He knew physical evidence would make or break a case: the bruises, lesions, broken bones and broken teeth needed to be documented before they healed, disappeared or were replaced. Mangaung inmates who attempted to access their medical files all failed. Joe, Shoes and JR told me that warders and management were known to tamper with medical files following assaults. The chances of accessing medical files

that would confirm the details of the anti-psychotic drugs were extremely slim.

But Oswald had a plan. Early in 2013, we headed out to Bloemfontein together to speak to the 'zombies'.

Oswald had asked to see the men as a group, to save time and allow for cross-referencing. We sat in one of the stuffy booths, waiting for the men to arrive. In the adjacent waiting area I saw a huge man, curled up on the bench, sleeping like a big burly baby. Then the other men arrived. Aubrey Buthelezi, David Kambule, Sello Mogale, Willem Vis and Joseph Maruping looked like they were levitating a few inches above the ground. Their faces were vacant, their demeanor docile, withdrawn, their eyes hazy, glazed over. They stumbled towards us, this group of zombie men, and filed into the cramped booth. Two men sat down on the chairs facing us, the others leaned against the wall.

Half the table disappeared under Mogale's huge forearms, which he rested in front of him. When Oswald asked him to describe the side effect of the medication, they all started talking at the same time.

"My body is stiff."

"I feel like a robot."

"It makes you gain weight."

"Makes me dizzy."

"I don't know what kind of illness they think I have," Aubrey Buthelezi said. His injections stopped in 2011 and he didn't receive any alternative treatment.

Oswald leaned towards the men and told them about his plan. He wanted to apply for an Anton Piller order[5]. "If the judge grants it, I will be able to access your medical files and take a blood and hair sample, without the consent of the company," he said and the men stared at him. Buthelezi nodded. Mogale looked like he would fall asleep right there. "We will take your blood and hair samples to find out what it is they're injecting you with."

There was evidence that officials in the prison and hospital were destroying and tampering with medical files. This provided the rationale to apply for the order.

[5] Anton Piller was an English manufacturer who sold computer components to distributors and he had reason to believe that the distributing company was illegally selling trade secrets to competitors. The court granted Piller the right to enter the premises of the agent to secure evidence of this practice, without the consent of the agent. Crucially, for an Anton Piller order to succeed, there needs to be a real possibility that the material might be destroyed before any application can be brought.

Within a few weeks Oswald had drafted an application, which included affidavits by Vis, Maruping, Mogale and Kambule as they were being injected at the time and thus the medication would show up in their blood and hair. Mothulwe's affidavit was added because of the enduring, debilitating side effects of the medication.

In his affidavit David Kambule stated: "The last occasion when involuntary treatment was attempted was during February 2013. When I was summoned for my injection, I told the nursing staff that I had seen my attorney of record and that he was intending to go to Court to stop them. This had an immediate effect and they let me go without administering the injection."

Joseph Maruping's affidavit reads: "The medication consists of a clear liquid contained in a vial. When this vial is shaken, it becomes yellow and foamy. I am not sure of the name of the substance injected into me but I believe that it might be the antipsychotic drug known as Haloperidol." Oswald had included this because the description matched the properties of Haloperidol when shaken.

On 2 April 2013, a High Court judge in Bloemfontein denied the application, likening it to a 'fishing expedition' while systematically misspelling Piller as Pillar in his ruling. "The applicants alleged that upon ascertaining the exact nature of the treatment rendered to them, they propose to instruct their attorney to launch applications (...) It is clear that they wanted to go on a fishing expedition in order to see whether there is any incriminating evidence."

Some months later, incriminating evidence landed in my lap through entirely different channels.

While the prison was descending into chaos caused by increasing labour unrest, the long awaited 'smoking gun' was finally handed to me. One day, in POPCRU's Bloemfontein office, Dan took my external hard drive and disappeared into another room. He reappeared a few minutes later and handed it back.

"This is what you've been looking for," he said.

When I got back to Johannesburg, I opened the files he had downloaded onto the drive and I started going through them. The videos showed Ninjas collecting inmates from their units and escorting them to the hospital or the isolation unit Broadway.

The EST team members are legally obliged to document their actions with a handheld camera every time use of force is approved. I now had hundreds of their videoed trips through the prison complex in my possession. Together with an intern at the Wits Justice Project, I ploughed through the blood and gore spilling onto my screen. The Ninjas are regularly called to violent and

bloody gang fights. Inmates fashion weapons from broken ceramic toilet pots and they use the shards to stab each other or warders. Countless videos documented nurses stitching up raw, exposed wounds, or Ninjas interrogating the men to find out who had the weapon and why they had attacked. I realized the selection of shots was curated: there was barely any electroshocking or other forms of torture visible in the videos, while I knew it usually followed on from the filmed interrogations.

When Bheki Dlamini appeared on my screen I ran out of my office to find my colleagues. They crowded into my office and together we watched the video again. I had been pushed to find corroborating evidence of electroshocking and forced medication. My superiors were getting increasingly impatient. They wanted some output after a year of investigating. I knew the video meant I could go to print.

The video started with an up-close shot of a white warder, who other guards called André. His face was distorted by closeness of the camera. "We are in Altcourse unit to pick up inmate Dlamini, who has disturbed the peace," he announced matter of factly. André held the camera below his face, providing a bottom-up, nearly intimate, view of his face.

André then announced that planned use of force had been approved. In prison speak, this meant an application had been made to the prison management as well as the DCS controller stationed at the prison, to use minimum force on an inmate. He flipped the camera to the 'core' of the prison unit, the communal space where inmates can sit and eat or just hang out. The men in black were everywhere. The men in blue (the inmates) all quickly disappeared into their cells as the Ninjas moved around, their electrified riot shields hanging from their sides. The shields release a bout of electricity when a button is pressed. The camera swerved around the unit and stopped at Bheki Dlamini packing away his lunch plate. He was speaking with one of the Ninjas. Bheki ambled over to his cell, while yelling something at someone in the distance. He waved his hand at the person. In his cell, Bheki started packing his stuff into a bag.

A warder faced the camera and told the cameraman: "We are going to remove B. Dlamini. He is disturbing the peace and the good order of the prison. That is why we are removing him to health care, for him to get his medication." The camera zoomed in on Andre's face again, who added: "The inmate is aggressive and mentally unstable. So, let's negotiate." In the video thus far there was no evidence of Bheki being aggressive or mentally unstable.

The camera swerved to Bheki's cell, but six armed Ninjas blocked the view. They were crowding around the entrance to the cell, craning their necks to see what was going on. The cameraman jumped the queue and positioned himself at the door of the cell. Bheki was having a discussion with Power Maluleke, the supervisor of the unit. Maluleke turned away from Bheki, who started packing his bag, and said to the camera: "Guys we're taking him to Mount Gambier. Apparently, he has made an application to be moved to Mount

Gambier and we are moving the inmate there." The Mount Gambier unit is where inmates are housed who are enrolled in educational programmes.

Bheki continued packing his few possessions, he took his pictures off the wall, he unplugged his radio and he wrapped up some food on his desk.

While Bheki thought he was getting ready to be moved to Mount Gambier, as per his request, the Ninjas and Maluleke discussed what their next move was going to be.

André asked: "What are we going to do with him afterwards?"
Maluleke: "From here, we are going to the core, from the core we are going to health care, but we will tell him that we are taking him to Mount Gambier."

"But after health care, what then, do we bring him back?"

"They have to bring him back. But, even when you talk to him, he will never understand. It's useless."

While they were talking, Bheki was making sure he was taking everything with him to Mount Gambier. He was on his knees looking under the bed.

"Are we going to keep him in health care for the night?" The discussion between Andre and Maluleke continued.

"Yes," Maluleke said.

"Because this kind of drugs takes a while for it to kick in, maybe a week," André then volunteered.

"He is someone who is sick, he is not a danger to us," Maluleke added.

"Hey supervisor!" Bheki had his stuff in his hands and he faced the cameraman.
"I have a size 40 trousers,"

"Size 40. Don't worry."

Bheki slung a bag across his back, grabbed a black bin bag and his other items and started walking out of the unit, escorted by eight men. As he was collecting his stuff, André reminded his colleagues: "We have to play his game. The wheel is spinning, but there is no driver," he added, to laughter.

The gaggle of men then left the unit, Bheki protesting his treatment loudly, the Ninjas laughing at him behind his back.

In a connecting area outside the unit, Maluleke once more faced the camera and admitted that he told Bheki that he was going to Mount Gambier, but that the real mission was to get him to health care, where he would be injected.

The next shot was in the prison hospital. Maluleke again faced the camera.

"Confirmation to inject the inmate. Apparently, it is confirmed. I just want to inform the inmate about it."

At his side Bheki was protesting loudly. He had just realized he was not being sent to Mount Gambier.

Maluleke informed Bheki he was going to be injected.

"A flu jab?" Bheki asked.

"No," his guards told him.

"What for? For flu?"

The guards refrained from giving him a clear answer.

"No, I don't want it," he said. "I am not a donkey."

As the Ninjas placed their gloved hands on his shoulders, Bheki kept repeating: "I am not an animal. I am not an animal."

"Bring him!" André ordered and the Ninjas pressed down on his shoulders, while they pushed his arms up. And in that position, half bent down, they marched Bheki through the hospital, past other inmates, who hurriedly moved their chairs out of the way. Bheki was yelling "No! No! No!" as they led him into a room. As they forced him, belly down, on the bed, he said: "I will see you in court."

The video ended as the Ninjas yelled for the nurse to come.

Several weeks later I met with Egon Oswald at a greasy café in downtown Bloemfontein. He had just seen his client Bheki Dlamini.

"He was complaining about the quality of the food they served. Lunch consisted of Vienna sausages and Bheki demanded 'real meat'," Oswald related.

"He says he has no record of mental illness and hasn't, before or after that incident, ever been injected again."

Bheki, clearly, falls into the 'difficult' group.

While Bheki's case initially seemed very promising, when Oswald brought the matter before court, G4S claimed the date on the video did not correspond with their medical records. Records that apparently did not reflect an injection

on the same date. Oswald, who was operating on a contingency basis, lacked the funds to further pursue the case.

5.
The Zombies – Part II

These video leaks were the missing part of the puzzle that I had been waiting for.

Bheki's video was posted alongside the articles I wrote for the *Mail and Guardian* and the British *Guardian* and was screened by the BBC and the South African investigative journalism programme *Carte Blanche*. I had helped these two TV crews put together items on the investigation, with the BCC disappointedly claiming the investigation as their own, while cutting out the interview with me in the final edit. The articles and TV items were launched consecutively in one weekend, at end of October 2013. Then other international news agencies picked it up and the video traveled the world, via CNN, Reuters and a host of other international and national media.

G4S categorically denied any wrongdoing. "We do not use any form of torture or shock treatment," said Andy Baker, the 'Africa President' of the company. In an interview on BBC radio he added: "It's difficult in an environment with so many people and so many moving parts to categorically state that there has never been somebody stepping over the line. To my knowledge there has never been an abuse of this type of nature." He added: "It is important to note that the G4S people do not make the decision to medicate, the medical staff do not work for G4S, they are a completely independent entity."

Theoretically speaking, he was right. Medication has to be prescribed by a medical professional, which was in this case Faranani Healthcare Solutions. But the video clearly showed G4S personnel not only fetching an inmate for his injection, but also informing him and whoever was watching that the "injection has been approved", and then forcing the inmate to undergo the medical treatment. Who approved it? Who was deciding that people like Bheki Dlamini, who has no record of mental illness, should be injected, while he was clearly objecting? Warders, inmates, nurses and admin staff working at the hospital told me that the prison management approved the injections. But they remained eerily silent and out of view.

Johan Theron, Tertius du Toit, EY Naidoo, Joseph Moyante and Xander Snijders are people who worked at the management level of the prison. I knew their names, but they were neither seen nor heard. Warders and inmates told me these were the people who ordered use of force and the injections.

Britta Rotmann, who was tasked with supervising the DCS investigation into the allegations, met with me during the period that DCS had taken over the prison, from October 2013 to August 2014. One of our meetings took place in a hotel in Johannesburg. She told me she was looking into the cases of Vis, Dlamnini, Mothulwe and Ambraal. "G4S actively undermines DCS," she said. "They do not hand over medical files or when they do, the files are incomplete. The doctor on the task team confirmed that injections were regularly being used on some inmates," she said, referencing James

Mothulwe's physical and mental state. She added that a lot of medical procedures had not been followed.

I left the meeting with Rotmann, feeling confused. If DCS knew medical files were being tampered with and if a doctor had confirmed that medical procedures were not being adhered to, then where were the consequences? Why were people not getting fired, having fines imposed or contracts terminated?

Not long after that meeting, Dan finally handed me the report the shareholders of the prison, Bloemfontein Correctional Contracts (BCC) had drafted. It was around this time that I found out that G4S was part of a consortium that had signed the contract to build, run and maintain the prison in 2000. G4S was one of five shareholders: insurer Old Mutual was another and then there were three empowerment companies – Fikile Mangaung, Ten Alliance Mangaung and Ikhwezi Community Trust – who had a 20% in the contract. Together they formed Bloemfontein Correctional Contracts. This consortium was and continues to be the accountable legal entity vis-à-vis the government, while G4S was very much the public face of the prison.

Previously Dan had sent screen shots of the BCC report that mentioned Isaac Nelani. Dan, being Dan, made me wait and plead, and wait some more and plead some more, before I finally got the report. Its contents were baffling.

The leaked report was BCC's response to a DCS interim investigation report that apparently was issued to G4S and BCC on 26 June 2014.

Judging from the allegations around assaults, electroshocking, forced medication with anti-psychotic drugs and deaths that the authors of the BCC report listed, DCS had documented only three cases of forced injections with anti-psychotic drugs.

In the report, BCC claimed they knew nothing and they denied any knowledge of the forced medication with anti-psychotic medication of Aubrey Buthelezi. In Willem Boetie Vis's case, they listed a chaotic set of steps that were taken, that should have been taken, or were simply not taken.

First, they claimed that they were not in possession of Vis's pharmaceutical report. BCC had asked the department to provide the medical files. This is strange because BCC are the shareholders of the prison, the legal entity that signed the contract and they are responsible for the entire prison operation and yet they were the ones asking DCS to provide them with "copies of the documents relied on by the DCS." It's as if they knew there would be no paper trail of the pharmaceuticals.

Then they listed the documents that were in their possession. They wrote: "Ilse Steenkamp, a clinical psychologist, noted, on 28 September 2011, that the inmate "refused to come to the clinic" and that she "will ask the [doctor] to write [a] repeat script and that the [prescription] should be given by force".

However: "There is no corresponding prescription from a medical practitioner (...) indicating that any medication should be administered to Mr. Vis."

Why did DCS only find evidence of three cases of forced injections? I had spoken to around twenty inmates and, based on L.'s algorithm, there were seven injection cases in one unit of 488 inmates. There were 2998 prisoners housed in Mangaung prison. There might be as many as 50 cases at any given time and to arrive at the total number you would have to take into consideration that the injections might have started with the opening of the prison in 2001, and only stopped after my articles and the TV productions I worked on were published in 2013. From then on, several warders told me, inmates who needed injecting were sent to the public hospital Pellonomi.

Whereas the Department of Correctional Services only referenced three cases of forced medication, the Judicial Inspectorate of Correctional Services (JICS), a semi-governmental prison watchdog, had an even more lukewarm response to the allegations.

When my investigation was published in South Africa and the UK in October 2013, the Minister of Correctional Services, Sbu Ndebele, instructed his officials to conduct an investigation into the allegations. The Inspectorate announced a separate investigation. And while JICS had been firm with G4S when it challenged prison management on their practice of holding inmates in isolation cells for unlawful periods, it was very lenient on allegations of forced medication.

On 5 November 2013, Mr Raga, the Manager Legal Services at the Inspectorate was called to Parliament to answer questions about the situation at Mangaung Prison. The depth of JICS' investigation into forced medication became clear from his answer: "Mr Raga replied that the head of the medical section had been asked whether injections took place. He had answered that it was done, and that it was necessary in his professional opinion. The medical section had provided a list of names of inmates who had been injected. The medical staff had opined that it was indeed necessary." JICS conducted no further research into the allegations of forced medication, while they knew I had a list of approximately twenty (former) inmates who alleged they had been injected.

The wall of silence around the forced injections was near perfect: the department, the company and even the JICS, the watchdog intended to hold the DCS and the company accountable, all kept their mouths shut.

So, when former inmate Tebogo Meje told me he had arranged a meeting with one of the doctors working at the hospital in 2017, I was excited. We caught Doctor Mokwaia as he was leaving his surgery at the National Hospital in Bloemfontein. Several inmates had alleged Doctor Mokwaia and another doctor by the name of Serame had injected them against their will.

"We are bound by medical ethics," he said when I asked him if he had ever injected an inmate against their will.

"But they are mental people and they have no judgement," he continued. "Go to any psychiatric institution, the state takes over, because the patients have no judgment. Sometimes, you see a person who has a clear judgment and now they are saying: 'ah, I was injected by so and so, but in the moment they can be a danger to themselves or a danger to others and you have to consider those circumstances."

"If I suspected any form of abuse," Mokwaia continued. "I would never do that." He claimed that G4S and Faranani Healthcare Solutions were separated in the decision-making processes. Doctors, so he alleged, made independent decisions and were not instructed by the prison management. I mentioned the video of the injection of Bheki Dlamini, which clearly showed G4S staff using force on Bheki and how the supervisor stated that the injection had been "approved".

I also told him that Bheki's medical file did not reflect a history of mental illness and that, on the video, he is seen to be complying with the orders given to him.

Mokwaia then said that neither a diagnosis of a mental illness nor the prescribed medication have to be reflected in medical files. "There are so many triggers that explain why people do what they do. Outside the prison, we sedate people. Why? Because they are a danger to themselves or somebody else. We give them one or two injections and they return to their normal self."

When I challenged him that medical records should surely reflect a diagnosis as well as the medication administered, he was adamant that medical files did not have to reflect a diagnosis of psychosis for anti-psychotic drugs to be administered. "There are indications for anti-psychotic drugs outside of a psychosis. You need to assess the person and then decide." Mokwaia did not mention the procedure outlined in the Mental Health Care Act, which involves consent from a spouse or guardian and the approval of at least two medical physicians.

Mokwaia then indicated he had to go. He refused to talk to lawyers who were representing inmates and he refused to give me any names and numbers of other medical professionals who were allegedly involved in administering involuntary medication. He also refused to tell me what kind of substance the inmates had been injected with. "You can find it on the internet," he added as he walked away, into a throng of hospital patients.

6.

Chasing Setlai

Whistleblowers form an invaluable part of my work and professional success. Without them, I would never have broken stories, exposed wrongdoings or even made a name for myself. In every investigation I have carried out, I worked alongside men and women who helped me uncover injustice.

What makes some people decide to blow a whistle and others keep their mouths shut? Every time I meet a source who is prepared to risk livelihood and security for elusive ideals such as 'the right thing' or 'justice denied', I am amazed. I have never been in a situation where I would have to make that choice.

But not all whistleblowers are filled with a sense of justice. I have met some along the way who were filled with a sense of revenge and wanted to 'out' a particular person. Others had a distinct and acute moral objection and felt the need to bring to light more systemic forms of abuse. Others still wanted to feel important and sought the limelight, vicariously. This last group, without exception, were people working on a book of their own.

Most whistleblowers I've met were bad sleepers. They had good, dysfunctional or no relationships; they were married, single, widowed or cheating on their partner. They were mostly cranky middle-aged men with beer bellies, bald spots and sometimes an alcohol problem. Their spouses often did not want to hear about their 'work problems' and told them to stop talking about 'those things'. They were isolated and distrustful. What kept them awake at night was often the very reason they were talking to me.

Tatolo Setlai's motives were never clear to me; I didn't fully understand why he agreed to speak to me in the first place. Every time I managed to secure an appointment with him, he became more of a mystery. He was a reluctant whistle blower to start with and cancelled meeting after meeting, or just didn't show. Maybe jaded was a better word to describe him. That possibly stemmed from the fact that he had been blowing his whistle for too long.

Trying to meet with Setlai felt like the gender-reversed equivalent of a desperate young man trying to secure a date with a reluctant, arrogant yet beautiful girl. I chased him, he rejected me and instead of discouraging me, it invigorated me. I kept designing new strategies to persuade him to meet with me.

Dan and L., my main sources at the prison, had repeatedly dropped his name. "He wrote a scathing report about the prison. And was punished for it," L. had told me at the end of one of my visits. He'd leant towards me with the usual urgency etched onto his face.

Setlai had been the departmental appointed controller at the prison for a period of ten months in 2008 and 2009.

"He knows everything."
I'd wondered how L. knew so much, as he passed me Setlai's cell phone number.

At the time, early 2013, Setlai worked for the Department of Correctional Services. He was in charge of Security for the Free State and the Northern Cape. Several years later, after his retirement, he agreed to go on the record.

The first time I thought I was close to meeting Setlai, he was still working for DCS, which meant our conversations were off the record. After months of chasing him around, we finally had a date. We were to meet at Wimpy's at the Mimosa Mall. I arrived at the agreed time, ordered a coffee and started waiting. As the minutes and then the hours ticked by, I realized he was not going to come. My phone calls and text messages went unanswered. Finally, when I felt sufficiently frustrated, I texted him angrily that I had driven all the way from Johannesburg *just* for this meeting, which was a lie. It was nevertheless effective. Come by my office tomorrow at 2pm, Setlai agreed.

The next day I parked my car some distance from the DCS office on Zastron Street. I entered the building and walked through a dimly lit corridor, till I saw his nameplate on one of the doors. Tatolo Setlai sat behind a large desk and looked at me with raised eyebrows, his uniform jacket open. He was a middle aged, overweight man with a shining bald head, some double chins and small eyes under bushy eyebrows. He was wearing his brown DCS uniform, with several pips on his epaulettes. He straightened his back when he saw me and tried to close his jacket with one hand.

Setlai motioned me to sit down and didn't smile or further acknowledge me when I introduced myself. I instantly forgot my opening words, the introduction I had composed in my head. I bumbled around, making incoherent small talk.

Setlai seemed uncomfortable. Over the phone he had already expressed hesitation, repeatedly mentioning his retirement. In his office he specified: " I know what they are capable of. I cannot risk losing my pension because of this."

Setlai had reason to fear the wrath of the department. In 2001, when he was the head of Grootvlei prison, situated right next door to Mangaung, he allowed four prisoners to take a camera into the prison with which they recorded warders taking bribes, bringing guns into the prison and physically abusing prisoners. The video was leaked to the national TV network SABC, exposing the prevailing and widespread corruption in South Africa's prisons. Setlai was transferred and later arrested by the Special Investigating Unit (SIU) on charges of corruption. These charges were dropped when it transpired that the inmates who had testified against him had done so under duress.

No wonder that the man had a constipated look about him. His attempts to uncover injustice had led to intimidation and harassment, with the loss of livelihood always looming large.

"I heard you wrote a report about Mangaung Prison?" I asked.

"Yes, I wrote one," was all he conceded.

"So what did you observe while you were working in the prison as a controller?"

"They paid inmates to write false testimonies, if riots and assaults implicated the company," he started. Then he stopped and stared at me from under his bushy eyebrows with a piercing look.

"The prisoners who didn't comply, would be sent to Kokstad.". Kokstad is an ultra-security prison in KZN with only single cells, to which 'problematic' inmates are transferred.

"Prisoners were placed in the isolation unit Broadway without the correct authorization by the Department or the Judicial Inspectorate of Correctional Services (JICS). And I have documented this and alerted the department in 2009. But they ignored me."

Setlai spoke in a low voice, with guttural Gs and rolling Rs.

"Why are you concerned about the prison?" I asked him. I wondered why he was upset about a 2009 report, four years after he had written it. Setlai looked at me again like he wanted me to leave.

"Because what goes on in that prison is wrong and corrupt. For example, 90% of the reclassification dates are incorrect," he said. Reclassification is a right a maximum-security prisoner attains, after a certain amount of time has lapsed, to be reclassified from maximum to medium security. Medium security means a wider choice of prisons and more lenient conditions. The reason why inmates were irate about the irregularities around their reclassification dates was that reclassification offered a chance to being located closer to loved ones. It is a highly desired milestone in most inmates' prison life.

Setlai continued speaking about the prison in stops and starts but didn't give me the report.

If 90% of inmates are not reclassified correctly, Mangaung Prison ensures it can keep its beds filled, I thought as I drove back to Johannesburg on the monotonous N1 highway. On both sides of the road flat yellow fields stretched out to the horizon. Here and there a rusty old metal windmill dotted the landscape. The surroundings barely changed as I drove and the road was carless for long stretches of time, which was hypnotic, as if I was not moving.

The company was herding together maximum-security prisoners in a walled-off super-secure complex. In that secluded place, profit was made off their bodies. And they were obviously not keen to let these cash cows go. L. had told me that many riots, hunger strikes, and other disturbances stemmed from the prison management ignoring inmates' reclassification dates. Inmates would riot, burn and stab while guards would retaliate with electroshocking, beatings and forced medication. The company somehow managed to turn this cycle of violence into a cycle of increasing profits.

Setlai had compared Frikkie Venter, the Mangaung Prison Director who had started his correctional career on Robben Island guarding Nelson Mandela, serving there until 2010, to "Hitler or Eugene de Kock." He claimed Venter was 'brutal' and that he single-handedly picked white supremacists as prison managers. He said this was why the prison used apartheid era tactics, such as electroshocking.

I thought about the bloody wars that had been fought in the landscape surrounding me. Wars that had drenched the land in blood long before apartheid had reached the country.

The uninteresting fields didn't seem a likely setting for the battles that had taken place here. The Basotho people who fled the Mfecane, settled in what is now known as the Free State. Basotho king Moshoeshoe, of the Crocodile clan, fought and won battles with the British over the Warden Line, a border between British and Basotho territory. Moshoeshoe did not agree with the Line's trajectory and he armed his soldiers and gave them horses. Moshoeshoe's soldiers beat the British army twice, who ultimately decided to retreat.

The Boers reached the Free State when they crossed the Orange River during their Great Trek across the country. This also led to armed battles, known as the three Basotho wars (1858 – 1868). Moshoeshoe lost to the Afrikaners in the three consecutive wars.

In the microcosm of the prison, this history feels alive. On the face of it, it might seem like it is the guards who are pitted against the inmates or the management against the workers. But ultimately what was taking place in Mangaung Prison was in many ways a race war. Most whites in the prison protected the interests of the company, whereas most incarcerated and guarding Africans were suffering at the hands of the same company. During the entire six years that I investigated the prison, I spoke to one white person who worked at the prison and who refused to ever meet me again.

I thought of the weight of our ancestors as I drove as though I wasn't moving, through the maize fields. The sun dipped lower, spreading an orange glow over the fields, mixing pastel pink splashes into a crisp blue sky.

I felt my eyelids drooping, so I exited the highway and stopped off at a roadside restaurant in a small farming town to grab a cup of coffee. The saccharine yet worn-out frilliness of the place was the first thing I noticed. Embroidered doilies on tables, shelves filled with chutneys, jams, pickles and other home-made products. An Afrikaans radio station burbling in the background. Three dogs ran in and out of the place, as an old *tannie* came into the otherwise empty place to help me.

"Hoe gaan dit?" she asked, not even trying in English.

"Het gaan goed," I tried with my Dutch pronunciation, which must have sounded weird.

"Een koffie?" I tried. Her facial expression told me she knew what I meant.

She served me the most disgusting instant coffee I had ever had in my life, so I left her little restaurant a bit disappointed.

Outside there was a fruit and vegetable stall, with massive butternuts and watermelons and bags of potatoes. Plastic bottles with ginger beer were stored in a fridge on the stoep. I saw the raisins bobbing under the caps.

In 2015, the Free State Agriculture, a farmer representative organisation in the Free State published a report which indicated that: "93% of the province was used for farming and 86.39% of the agricultural land in the Free State was white owned."[6] In Free State *dorpies* I've seen hotels with racially designated entrances and bars with a framed old South African flags.

I wondered if G4S knew about the land and the history that had produced the offenders placed in their care and the people responsible for that care.

Meeting or speaking with Setlai again was often a mission impossible. I kept trying to contact him, but my calls, voicemails and text messages were ignored or went unanswered. Then, in April 2013, he finally agreed to meet me again. This time he told me to come to a guesthouse in Kroonstad, a medium-sized town about a two-hour drive from Johannesburg, at the midway point between Johannesburg and Bloemfontein. As I pulled up outside the guesthouse, I noticed it looked deserted. Setlai had a room on the first floor. The door was open and I walked in. Setlai was sitting on an unmade bed in his DCS uniform. The sheets on the bed were crumpled. I sat in a cushioned chair and took out my notebook, a gesture aimed to expel the intimate sight and smell of an unmade bed in a guesthouse room, with just one man sitting opposite me. Setlai didn't say much and I wondered if he slept well. Then, he finally handed me the report and several faxes, breathing heavily.

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[6] Yolandi Groenewald: https://city-press.news24.com/News/Who-owns-the-land-Ownership-by-numbers-20150503 (accessed on 04/03/2019)

When I got back to Johannesburg, I read the reports and faxes Setlai had written while he worked as a controller at Mangaung prison in 2008 and 2009.

In 2008 the department appointed Setlai as controller at Mangaung Prison. Controllers at privately run prisons are supposed to provide legal oversight. They are supposed to report to the department on a wide array of issues, related to prisoners' rights: health care, use of force, requests for transfers and such. In that capacity, Setlai did what he had been doing before: he blew the whistle on prison abuse.

In September 2009, he notified the Deputy Prison Director, Johan Theron, of irregularities: "Inmates are segregated [the legal term for isolation or solitary confinement] before the authorization document is signed, and the notification form that informs inmates about their rights to appeal, should be attached to the segregation form," he wrote. This was the first time Setlai formally raised the problem of the unregulated isolation of inmates in the prison. According to South African law, prisoners can only be kept in isolation cells for a maximum period of 30 days. The Inspecting Judge needs to be informed, as well as DCS authorities, and a physician has to inspect the wellbeing of the isolated inmate every day. According to Setlai's first fax, these rules were being flouted. Moreover, so he wrote, isolation was used as punishment, which became illegal after the dark days of apartheid, when struggle icons were held in isolation for years as a punishment for their political activities.

The next day, Setlai fired off another fax, this time addressed to Tertius du Toit, the G4S Manager Compliance. Setlai pointed out that the terms segregation, separation, solitary confinement, security classification and intermediate programme were being used interchangeably in Mangaung Prison, yet they all reference the same thing: solitary confinement. The prison also used the term "High Care" or "High Risk" to segregate inmates outside the confines of the law. I had seen the terms used frequently in documents provided by inmates.

His faxes and attempts to address the unlawful isolation of inmates were not well received. In a period of six months, he claimed the company investigated him six times for "inciting inmates to riot."

Setlai then turned to his employer, the Department of Correctional Services, and compiled a five-page report on the conditions in Mangaung Prison, titled: '*Malfunctioning of Private Prison: Mangaung Correctional Centre*'. On 18 October 2010 he faxed the report to Britta Rotmann, who was the Head of Legal Services at DCS.

"I can compare Mangaung with Quantanamo (*sic.*) Bay Prison," he writes. Then: "the state is milked for work not done. Their oppressive contract supersede the Act and Constitution, they only use the DCS Act if it suits them, they don't do the job according to the contract, instead they are profit oriented, they use the cheapest methods in all spheres." He repeated his claim that inmates were being held in isolation unlawfully. "Inmates are placed in single cells without the authorization of the Head (of prison) for more than 3 years

without informing the DCS or the Inspecting Judge. Inmates are placed on 'high risk' category without any explanation."

This time, Setlai attached a list of 62 inmates who had been held in isolation for extended periods, ranging from two weeks to more than three years. In the prison, there are isolation cells in the Broadway section. The unit Wolds, also known as intermediate, has several single cells that are also used as isolation cells. Setlai wrote about Wolds: "management locked (inmates) up for 23 hours a day without any programmes or activities as stipulated in our agreement: this is regarded as gross human rights violation and should be reported to head office and inspecting judge."

Some of the 62 men had been denied life-saving medication for HIV and TB while they were isolated.

Zach Modise, the then DCS regional commissioner for the Free State, did not pay attention to the issues Setlai had flagged, but rather reported him to the Minister of Correctional Services, who promptly started an investigation into his conduct. Modise also transferred Setlai to another position within the department. G4S, meanwhile, reported Setlai to the police for inciting inmates to riot. Setlai wrote an affidavit at the local police station. It opened with: "All the allegations made against me by the contractor are false." Towards the end of the affidavit he stated: "I want to blow the whistle about what is happening in Mangaung Correctional Facility."

The ministerial investigation concluded Setlai had not done anything wrong. The case and the criminal charges were dropped.

The report and faxes formed a major breakthrough in my investigation. Up till then I had driven to Bloemfontein once or twice a month to interview a long list of incarcerated men. Although the access and lack of scrutiny was amazing, it still hadn't led to any concrete evidence, other than the harrowing stories of the men and several guards. Now I had an official government report that not only backed the allegations of the inmates, it also proved that the department had been well aware of the chaos, violence and lawlessness in the prison as early as 2009. And they had done nothing about it. They had rather chosen to cover it up.

Setlai's report provided detailed evidence on inmates who had been placed in isolation cells for unlawful periods of time. After consulting with my team, I decided to write my first story on the prison. I chose only to cover the lengthy isolation and not the other forms of abuse, as I hoped the publication would attract whistleblowers and other sources who could help corroborate the other parts of the investigation.

Prolonged isolation has been recognized as a form of torture by the UN Special Rapporteur on Torture. Solitary confinement, isolation, high care, segregation all mean the same thing: an inmate is placed alone in a single cell

and is not allowed any significant contact with the outside world. 'Privileges' are withdrawn, which can mean no contact visits, no access to radio, TV or newspapers. Once a day, the prisoners are let out for exercise and a shower.

The absence of basic social interaction can lead to severe mental health symptoms. People who have experienced it complain of anxiety, depression and suicidal thoughts and attempts. It reduces meaningful human contact to an absolute minimum. In 2008, clinical psychologist Ian Robbins conducted an experiment in collaboration with the BBC, isolating six volunteers for 48 hours. "The volunteers suffered anxiety, extreme emotions, paranoia and significant deterioration in their mental functioning. They also hallucinated.".[7] A study from Harvard University[8] listed the symptoms prolonged isolation can cause: "hypersensitivity to external stimuli; perceptual disturbances, hallucinations, and derealisation experiences; affective disturbances, such as anxiety and panic attacks; difficulties with thinking, memory and concentration; the emergence of fantasies such as of revenge and torture of the guards; paranoia; problems with impulse control, and a rapid decrease in symptoms immediately following release from isolation."[9]

I tracked down some of the inmates on Setlai's list and managed to corroborate the length of each person's detention in a single cell. Oupa Mbalane was on Setlai's list. He was taken to ultra-maximum prison Kokstad following his 2009 involvement in a hostage-taking situation in the Broadway unit.

"I was kept in Broadway there for more than four years," he told me. "They would come and beat me up whenever they wanted, because there were no cameras in the cells," he remembered. On the other side of the glass partition, I could see his tattoo-covered hands nervously twitching on the table.

Thabang Nthabi was not on Setlai's list, but he did spend three unauthorized weeks in a Broadway cell. He is a lanky 30-something man with a few missing front teeth, and he greeted me loudly when I arrived at his house. Thumping house music blared from a speaker. His home was packed with people, so we decided to chat in my rental car. In the car, Thabang poured out his heart. Broadway was not only a place of isolation; it was also a stage set for violence. Because there were no cameras in the cell and no cellmates, or other potential eyewitnesses to observe, it was the perfect setting for a beat-down. Thabang sat in my car for about three hours. He didn't stop talking, he shouted and cried as he spoke about his violent encounters.

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[7] Michael Bond: http://www.bbc.com/future/story/20140514-how-extreme-isolation-warps-minds (accessed on 06/03/2019)

[8] Grassian, S. Psychiatric Effects of Solitary Confinement, Volume 22 Washington University Journal of Law & Policy (2006), https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1362&context=law_journal_law_policy

[9] Gali Katznelson and J. Wesley Boyd: https://www.psychologytoday.com/intl/blog/almost-addicted/201801/solitary-confinement-torture-pure-and-simple (accessed on 03/03/2019)

After his release from Mangaung Prison in 2012, Thabang returned home to one of the townships around Bloemfontein. And this is where his nightmares started. "I was so angry and frustrated, and I couldn't sleep, terrible nightmares would wake me. I wake up screaming and crying."

By the time Thabang got out of my car, he had calmed down. He was laughing again as he walked back to the house, a beer bottle swinging from side to side in his hand.

I sent the list of Setlai's 62 isolated men, to the Judicial Inspectorate for Correctional Services (JICS). Umesh Raga, the National Manager Legal Services at JICS forwarded the list to Mangaung prison and, in April 2013, asked them to either confirm or deny the allegations. That didn't go down well.

G4S failed to respond to the list with 62 names, but rather asked the Inspectorate to clarify their mandate: "(the Inspectorate's) requests are mostly signed by administrative personnel, which raises the question whether the Inspecting Judge is aware or in need of the information. (...) our office places a question mark regarding the integrity of previously mentioned persons."

Raga was not amused. He responded in a barbed letter on 13 May 2013: "It is apparent that the Director takes umbrage at the Inspectorate's queries" He then questions the authority and delegations within the Inspectorate and casts suspicions on the integrity of our staff and our mandate. We are indeed flummoxed by such aspersions (...)".

Other than pointing out that the three men who were still being held in isolation at that time were there legally, the company completely ignored the Inspectorate's request. G4S tried to argue that the three men were actually not segregated – the legal term for isolation – but 'high cared' - a term only G4S uses - due to a security risk.

On 28 May 2013, the South African *City Press* and the British *Guardian* ran my article on the 62 isolated Mangaung inmates, alongside a picture of PAC leader Robert Sobukwe, who had been placed in isolation for six years in his living quarters on Robben Island. In the article, the three different inmates on Setlai's list, who had been placed in an isolation cell for unlawful periods, spoke about their ordeal[10].

"The isolation drove me insane," said Oupa Mabalane. He claimed he tried to kill himself because he couldn't stand being alone all day. G4S responded to the article by passing the buck: "the DCS controller approves the detention of all inmates in single cells."

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[10] Ruth Hopkins: https://www.theguardian.com/world/2013/may/28/g4s-south-african-prisoners-isolation (accessed on 06/03/2019)

The company either officially ignored any accusations of wrongdoings or flatly denied them. But then, shortly after the publication of my articles, I received a leaked, internal and confidential G4S email. The email had the subject line *High Care* and was addressed to top-level directors and managers in the prison. In it the Manager Compliance, Tertius du Toit, reminded his colleagues of what South African law stipulates: "The MD has decided that Highcare will not be utilized at MCC anymore for the foreseeable future. All instances where a need arises for an inmate to be placed in the Special Treatment Unit due to risk/aggression/violence, will be motivated in terms of Section 30 of the DCS Act." The text of Section 30, which regulates segregation, and only allows for an initial 7-day period of isolation, was added to the email.

After my article was published, I sat tight. As expected, the prison doors slammed shut in my face. My number was blacklisted, so inmates couldn't phone me anymore. A warder told me that my picture was posted at reception, with a warning not to let anyone inside who looked like me. As expected though, the publication also put me on the map with the increasingly disgruntled work force at the prison.

Setlai initially seemed pleased with the publication, but then he disappeared again, stopped returning my phone calls or answering my messages. Several months after the article was published, G4S put out a press statement about recent riots and violence that had taken place. Right at the bottom of the press release a curious sentence appeared: "G4S has appointed Tatolo Setlai as a consultant in gang violence. We will be working with him to resolve the current gang related violence at the prison."

Why would a whistleblower who put his job on the line to expose a company, then go and work for that same company? Had he finally succumbed to their lucrative offers and grabbed the money instead of blowing his whistle? Was he a double agent? A rumour circulated that he was having an affair with one of the female prison managers. Maybe this was his romantic gesture to her? I couldn't figure out what had possessed him to work as a consultant for a company he had risked his own security to expose.

Dan, who had urged me to get the report from Setlai, was also not impressed. "We can't trust him," he simply concluded when I saw him next.

The long and invisible tentacles of the company reached further than I could observe. They had seemingly co-opted one of their staunchest and most powerful opponents – a person who they had previously accused of committing crimes - to consult with them on gang violence.

7.

Death in the Dark Room

When I was a preteen I joined the Young Investigators: a kids' club in a neighbouring town. I was a bit of a nerd girl. The aim of the club was to foster a love of all things scientific in our young minds. I was drawn to their photography lab. I would wander around the town, in its parks and markets, taking pictures of people, animals, buildings, anything really. Later in the dark room I would inhale the acrid smell of photo chemicals, peer at the gleaming white sheets by the light of a safelight and marvel at the image slowly emerging as the sheets floated around in a chemical bath. That process was magical to observe, the gradual appearance of a slice of life. The memory came alive and was forever arrested in its movement.

In the dark room in Mangaung Prison, there was no safelight. Brutal reckonings took place there, in a pitch-dark soundproof cell. Once inside, there was no way out and no one would hear your screams. Most inmates I interviewed over the years spoke about the dark room with notable urgency and they seemed desperate to let the world know this place existed.

Inmates and warders alike mentioned Isaac Nelani, an inmate who died in the dark room on 18 May 2005.

The most obvious and at the same time remarkable thing about investigating the dead is that they have no voice and they cannot look you in the eye with honesty, contempt or in amusement. The protagonist of this story cannot relate what happened to him on that fateful night in Broadway. He has no lines. His absence meant I had to piece together the story of that night from eyewitness accounts, documents and the different versions of the event.

Stories about the dead are different from the stories of the living. The absoluteness of Nelani's absence permeated the heart of the story, leaving an unforgiving silence behind.

My investigation into Nelani's death materialized much like the discovery process that mesmerized me as a young girl. From a dark place a picture of what happened that night slowly emerged, as its constituent parts became exposed to my scrutiny, and ultimately, public scrutiny.

There were various versions as to how Isaac Nelani died. Some say he exhaled his last breath in a cell, known within the prison as the 'dark room'. They say this is where Ninjas bring the prisoners to thrash, kick, beat and electroshock the hell out of them. On that night, the Ninjas beat him up so badly he died.

Others claim none of this happened. They say he committed suicide in a room G4S calls the 'quiet room'. They say he hanged himself.

The unfolding story of how Nelani died and who was responsible for his death took many turns, morphed into different versions and had many holes in it. One thing was certain though: a pathologist ruled the death "suspicious" while G4S registered it as a suicide on their internal system.

Dan told me that G4S had designed one of the cells on Broadway as a suicide prevention cell. The temperature in the cell was kept intentionally low, so inmates could physically cool down if they were having some sort of episode. All objects in the cell were immovable: the bed, sink, toilet and chairs. It was so utterly dark, it was impossible to distinguish one human being from another, let alone see their face.

Dan also gave me a printout of the internal Resident Administration System (RAS) system that G4S uses. There's a grainy picture of Nelani, a head shot, in the left corner. He has a beard and looks to be in his forties. He stares straight into the camera in a calm, determined yet also defeated way. Like he had seen it all but is not done seeing yet. He was convicted of an armed robbery and culpable homicide in 2002.

Then, Isaac Nelani, the man, is summarized in short hand:

Race: black
Gender: male
Nationality: South Sotho
Date of birth: 20/05/1957.

His address is registered in Sasolburg in the Free State, despite several inmates and warders having referred to him as "that Zulu guy from Newcastle." That was maybe because he followed a Zulu spiritual leader, Isahiah Shembe of the Nazareth Church, which was listed as Nelani's religion.

He was 1.79 meters tall - a man of medium height. He was right handed, his complexion was captured as 'dark', his speech 'normal', his teeth 'good' and his birth place 'Parys'. His weight was just below 74 kgs. Under 'specialty' is listed: 'aggression'. He was HIV positive and his marital status was 'widow'. Lastly, there was a list of scarred body parts: head, face, right arm, right leg and chest.

Next, Nelani's possessions that he had on him on the day of his arrival, are documented.

"Face cloth, underpants, pants, jean, 2 t-shirts, yellow container, spoon, white container, socks, 3 toothbrushes, comb, books, belt, gloves, pajamas, shoes.

Nokia 5110, battery, charger and yellow Omega men's watch, spectacles, ring.
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the prison by his nickname *Sewende Laan*, after the popular Afrikaans TV soapie, was the Duty Operations Supervisor (DOS) on the day of Nelani's death. This is a rotating position and each day a different manager is in charge of the daily prison operations. Van Staden wrote in his affidavit to the police that he decided to move Nelani to the dark room, which he describes as a cell designated for *oproerige* inmates, meaning riotous inmates who are 'high risk'. He claims Nelani had damaged the window in cell 09 and was therefore deemed *oproerig* and high risk.

Dan knows the man who was on duty the day of Nelani's death. He refused to speak to me, but when I received the pathologist's report, I found his affidavit in the court documents. Vuyo Mokoena worked as a Direct Supervision Officer (DSO) at the unit. "At 16:40 I visited the cell of Isaac Nelani. I looked through the hole in the door that serves as a window. Everything was in order in his cell," Mokoena writes.

Then, according to his statement, his colleague Maluleke calls him to Nelani's cell at 17:03. " I saw through the hole in the door that inmate Isaac Nelani had hung himself." Mokoena claims he ran to the kitchen to get a knife, which he then slid through the feeding hole in the door to cut loose Nelani. After he had cut him loose, he went over to the control panel at the workstation and opened the doors to the cell. The nurses were called and they pronounced him dead.

My next lead is an inmate who – so I had been told – made two different statements about Nelani's death: one to G4S and a contradicting one to DCS. Prisoners are assigned different tasks, some are appointed cleaners, others, like Madondo, serve dinner. When Madondo knocked on cell door 34 with Nelani's food tray, he saw Nelani's dead body through the food hatch.

Dan and L. both mentioned Madondo. "He works a taxi in Soweto," L. told me as he slipped me his phone number.

Madondo[11] miraculously picked up the phone when I tried the number L. had given me. His English was minimal and my isiZulu a lot worse, so I asked Deejay Manaleng, an intern working with the Wits Justice Project at the time, to set up the meeting and to come along with me to the Mapetla hostels in Soweto, where Madondo lived, to translate.

The hostels are built around a windswept little square. About a dozen white combi taxis were parked crisscross inside the square. Music blasted from car radios. Madondo was sitting at a wooden picnic table outside a spaza shop that sold beers and cool drinks. He was in his forties or fifties and looked morose. That expression didn't change when he saw us. With a head nod, he invited us to sit down. I shook his hand before I sat down and I tried to look him in the eye, but he kept peering into his drink. I thanked him, through Deejay, for

[11] He only ever gave me this name.

In the police pictures, taken before the corpse was transported to the pathologist, Nelani is lying on his back on the floor of the Broadway cell, one eye closed, the other half opened, his light blue prison jacket is opened, underneath it he wears a black t-shirt. His hands are upturned to heaven. His jacket looks ragged and torn. I stared at the picture and tried to see a trace, an emotion, a last word, on his lifeless face. But it was vacant.

The police said something highly unlikely to the state pathologist, Robert Gene Book, who received the body: that Isaac Nelani had hanged himself with a leather jacket. Inmates don't get to keep their leather jackets, or any item of clothing. There was no leather jacket presented to the pathologist.

I will never be able to ask Nelani about the jacket. Did he ever own one? Was one of the police officers who investigated his death wearing one?

Forensically speaking, clothing needs to remain untouched if a suspected crime has been committed, as it is considered evidence. G4S alleged he hanged himself with strips of his prison jacket. Pathologist Book wrote an often-irate report on the inconsistencies in the police investigation. The magistrate had asked Book to answer the question: was the clothing he found on Nelani at the time of his post-mortem examination the same as was on Nelani at the scene of his death in the Broadway unit? This was a pertinent question because Nelani's body was presented to Book naked. There are police pictures of the strips of material in the inquest docket, knotted together and hung over the back of the padded door to the cell. The Bloemspruit Police, however, claim to have lost the docket. No one knows where the material is that Nelani allegedly used to hang himself. It has disappeared. Investigators who inspected the cell claimed it was impossible to hang oneself from the door. If the cell had indeed been built as a suicide prevention cell, this would make a lot of sense.

The state pathologist, Book, was not called to the scene of the death, and so had no first hand impressions of the material Nelani had allegedly used to hang himself. This was another remarkable omission in the police investigation. Book's frustration is palpable when he writes: "In civilized countries throughout the world, the Forensic Pathologist is called to the scenes of deaths in custody; it never happens here in Bloemfontein. Never."

Book took additional pictures of Nelani's corpse in his morgue. In the pictures Nelani is lying, unclothed, on his back on a metal surface, both eyes closed. A piece of paper with the SAPS docket number is on his chest, just above one of the scars below his collarbone.

Nelani, the man, is now reduced to the docket number of a botched police investigation.

On 18 May 2005 around 3pm, Isaac Nelani was moved from cell 09 in the Broadway unit to cell 34 in the same unit. Gerard van Staden, known within

meeting with us. I then tried a smile, but he did not reciprocate. I sensed this was going to be a short interview. So I got straight to the point.

Madondo, whose statement was not part of the Magistrate's inquest, told us that he had found Nelani around 5pm, when he looked through the food hatch in the cell door. Each man on Broadway was locked up in a single cell, from dusk to dawn, with a brief one-hour break per day.

Nelani didn't open the cell door or present himself to Madondo. Madondo saw his lifeless body, slumped against the door. When the unit supervisor opened the door, they found Nelani's dead body. They tried to resuscitate him, but he was gone.

"In the G4S statement I wrote that Nelani had committed suicide. I could see him through the hatch in the door and then when I went inside, I saw he was dead, but there was no blood in the cell. He hung himself with a prison jacket," he said.

In the same week that he wrote the statement for G4S, the Department asked him to draft a second statement. "DCS instructed me to write that he died because he was beaten up," he said. "A man working at the DCS controllers' office, Xander Snijders, and the DCS controller himself, Clement Motsapi, both told me to write that." Madondo looked at us briefly, then looked away and took a sip of his Coke.

Snijders, I later checked, was hired by G4S shortly after the inquest into Nelani's death and still to this day works in prison management.

I put the allegation to Madondo that he was bribed to write the first G4S statement, as it earned him a transfer to another, medium security prison, closer to home. He didn't like the question.

"I was moved to Grootvlei Prison and then transferred to Groenpunt Prison in Vereeniging and then they moved me to Sun City in Johannesburg," he said. I wish I had phrased the question differently. I asked him why he made two different statements.

"I don't believe in lies, this is what I saw," he said and he finally followed through on what he had been physically communicating since the moment he saw us. He got up quickly from the table and walked away.

In September 2013, two thirds of the workforce at Mangaung Prison had been dismissed, following several 'unprotected' strikes. The entire EST team was unemployed. One of the fired Ninjas decided to tell his side of the story to an international television audience.

At the time, I was working closely with the BBC and the South African TV programme *Carte Blanche* on their coverage of my prison investigation. I

directed them to houses of former inmates and warders in the townships around Bloemfontein. Their fancy 4X4s drove onto dusty roads, spewing an ochre dust cloud that clung to the cars like a dirty trailing bridal veils. We unpacked sound and video equipment, invaded people's houses and offices, where - very briefly - a set was created. Light, camera, story, end. Then we packed up and left again.

"I will shock him until he tells the truth that I want, even if it is a lie," the Ninja told the TV crew, simultaneously providing the definition of torture as well as its inefficiency as a method of interrogation.

Later he explained what usually followed on a fight or disturbance. "We go to the situation, then we restrain them, then we go to the segregation unit (Broadway), then we arrive there and we lock them in the single cells, then we go there and ask questions and if he can't give us the answer that we want then you go on and you use the electric shield."

A warder who used to work in the Broadway unit and who didn't want or didn't dare to meet me face-to-face, told me over the phone: "There was a sound-proof room called the 'dark room'. EST members would bring inmates there, strip them naked, pour water over them and electroshock them. It was awful."

G4S flatly denied the existence of this dark room. They described it as a 'quiet room'.

When an incarcerated person is a victim or perpetrator of crime while he is in prison, the eyewitnesses to the crime are most likely other inmates. But because these men are considered criminals with very little respect for the law, their eyewitness testimony is often ignored or discredited. The Bloemspruit police station has not properly investigated and the local prosecutor has not pursued a single criminal case from men incarcerated at Mangaung Prison, despite dozens, if not hundreds, of prisoners filing reports of torture, forced medication and assault. When I visited the Bloemspruit police station to find out how many reports of torture they had received, an investigating officer, responsible for following up on inmate's complaints, told me 'they all lie' and that was why they didn't pursue the matters. With that attitude, it should come as no surprise the Bloemspruit SAPS 'lost' the Nelani docket.

The law and order consensus seemed to be that people who have committed crimes did not deserve justice, ever. In their press statements, G4S would repeat again and again that Mangaung Prison housed the most hardened criminals in the country.

I found and then interviewed three eyewitnesses who were in an isolation cell at Broadway on the night Isaac Nelani died. All three of these men had been subjected to torture and abuse themselves, and had reported the abuse to the SAPS, to no avail. The police neither interviewed them about their own case,

nor about Nelani's death. There was in effect, a public/private partnership aimed at maintaining the pact of silence around prison torture and deaths.

Sometimes the living compensate for the silence left behind by the dead. Oupa Mbalane was angry. I observed him through the glass partition in the visitors' section of Kokstad Prison, officially known as the Ebongweni Centre of Excellence, in Kokstad, KZN. Kokstad is where the real heavies go: the men accused of treason, terrorism, large-scale drug trafficking and troublemakers, like Mabalane.

Mangaung Prison transferred inmates who caused too many problems, or who were considered troublemakers, to Kokstad. Kokstad inmates are allowed barely any contact with the outside world and are kept in a cell, alone, for 23 hours a day. The Department denies this is an unlawful use of segregation but rather turns to semantics, calling it 'single cell use'.

Mabalane's face and arms were covered in gang tattoos and when he spoke he shouted and made urgent gestures with his hands. I sensed it didn't take much to upset him.

His prison track record suggested as much. He was involved in a hostage taking, he stabbed a warder and he fuelled riots. As a 28 general, he was deeply enmeshed in gang warfare between the numbers. He had lost count of the times the Ninjas took him to a cell to beat and electroshock him. After he stabbed the warder, the Ninjas promised "to torture me every day," he remembered. He said he was tortured in the dark room twice.

Mabalane, whose rising anger turned his face a deeper shade, was the first eyewitness to the events leading up to Nelani's death that I had spoken to, following the awkward interview with Madondo.

Mabelane was placed in a cell on the 'upper core' of the isolation unit on 18 May 2005, opposite Nelani's cell. Mabalane said he could see down into the unit through a slit in the door, above the food hatch, because it was usually left open.

"Nelani turned on the taps in the toilet. He was angry, it was winter and he was cold, he was HIV positive. He asked for an extra blanket and the warders refused. Then I heard Nelani screaming. He was tortured to death," Mabalane said.

"The EST came back after he died and hung him up by his clothes."

Shortly after my visit to Mabalane, another former inmate at Mangaung Prison phoned me. Mxolisi Ndaba had been in the cell next to Mabalane. "I heard Nelani scream, the Ninjas electroshocked him," he recounted. "They tortured him to death."

I traveled to Kroonstad, half way between Johannesburg and Bloemfontein, to speak to the third eyewitness. Kroonstad Prison, in the Free State, is mainly a medium security facility. It is probably the most welcoming prison I visited in South Africa. The facility is built like a village, the complex is made up of a cluster of bungalows, or hostels, in several rows, with low fencing and very jovial, laid-back guards. Take away the fences, barbed wire and warders, and it could pass for a low-income retirement complex.

Prisoners hung around the houses, sweeping their stoeps, huddling together for a smoke in the inner courtyard in front of the warders' office. The prisoners chatted and joked around with their guards.

The atmosphere was informal, the staff accommodating. They created a consultation corner for us in their office. Inmate Papi Maruping ambled in and we took seats facing each other. I asked a warder to turn the volume on the radio up, to make sure the warders couldn't overhear our discussion.

While a seSotho radio station babbled away in the background, Maruping leaned in and told me what he saw on the night Nelani died. "Nelani got into an argument with Power Maluleke, who was at the time the supervisor at the Broadway unit. Nelani wanted an extra blanket and Power refused to give him one. Power then phoned the EST. They arrived around three o'clock in the afternoon. The team of Ninjas was led by a guy called Van Staden. His nickname was *Sewende Laan*."

The Broadway unit consists of two levels of cells, built in a square. Maruping was in cell 39, on what is called the upper core and Nelani's cell was number 9, on the lower core. Cells 9 and 39 are positioned above each other. Maruping could not see cell 9, but he could see into the middle section, the area around the workstation and the cells opposite his. According to Maruping, Nelani was outside the showers, in his line of vision, when the EST arrived. "They twisted his arms behind his back and he fought back. Van Staden then ordered them to take Nelani to the showers. They stripped him first. They pushed him into the showers and then I couldn't see him, but I heard him screaming. I think they put him under a cold shower, in the middle of winter and they left him there for at least five minutes."

"When Nelani left the shower, Van Staden ordered him to get dressed again. "Nelani was still arguing with them and then I heard Van Staden say: 'take him to the dark room'".

To get to the dark room in cell 34 you had to enter through two doors. The outer door had SO 27 written on it, opposite Maruping's cell, in his line of vision. Behind that door, on the left, was a door to cell 33, and to the right a door to cell 34.

"That dark room is like a police holding cell, you can move nothing, the bench is made out of concrete, there is just one light bulb and no windows."

Did Nelani know that mention of the dark room was a harbinger of pain and suffering? Is that why he resisted when the EST men tried to push him inside? "His feet were still wet from the shower and the floor was slippery, so he fell when the Ninjas grabbed him. They grabbed him, beat him and then pushed him into cell 34." Maruping remembered.

Through the slit in the door, Maruping could see into cell 34, as the two doors were left open. "The doctor had arrived and he stood with Power at the work station, watching the six Ninjas cuff Nelani, place him on his stomach on the floor and then they started kicking, hitting and electroshocking him with their shields. It went on for about 15 to 20 minutes and I saw that Nelani was bleeding from the mouth. I heard him screaming. The Ninjas yelled at him and insulted him, calling him a *sisi* and a bitch."

Then, so Maruping alleged, the doctor was called and he entered the cell, injected Nelani in his neck and closed the cell doors. Maruping saw Nelani lying on the floor, face down, unconscious.

Around 5pm that day, Madondo dished out food to the inmates in Broadway, through the hatch in their cell door. "He opened the SO 27 door and then asked Power to open cell 34 for him. Madondo thought Nelani was asleep, he bent down and started shaking him. He then went back to Power and started whispering to him and pointing at Nelani's body." Maruping saw Power walk over to Nelani and also start shaking him.

According to Maruping, Power phoned prison management. Bennie van Aardt, the supervisor of the EST team, appeared within minutes. He didn't touch Nelani but made another phone call. Some minutes later, several prison managers appeared. Maruping saw them walk towards the corner of the unit, out of his line of sight, where there was an interview room. He heard a door close. Three men, Tertius du Toit, Bennie van Aardt and Van Staden were wearing rubber gloves, according to Maruping, when they reappeared. They entered cell 34 and closed the door.

"When they opened the door again they had uncuffed Nelani, and they had taken a bed sheet and torn it into a thin piece. They tied that around his neck and attached it to the door, making it look like a suicide."

Around 6pm the police were informed and they arrived around 7pm. "The police came and lifted the body, cut it loose from the sheet and placed him on a stretcher," Maruping concluded his memories of the night.

The three men who claim to have witnessed Nelani's murder do not have identical recollections. Ndaba remembers the police carrying Nelani out of Broadway on a stretcher and he said his hands were still cuffed, whereas Maruping told me that Nelani went into the dark room handcuffed yet was transported out of the unit uncuffed. But they all saw Nelani lying on the floor, face down, as he was being assaulted by the EST. They all heard his blood curdling screams coming from the showers.

The Department of Correctional Services took control of the prison when it spiraled into chaos and violence, from October 2013 to Augsust 2014. A disciplinary task team was supposed to investigate the allegations of abuse at Mangaung Prison. The team, comprised of doctors, lawyers and other government officials, held meetings and interviews. Dan was invited to assist the task team.

"A doctor was part of the team and he claimed he was in possession of X-rays of Nelani's head that proved substantial head injuries," he told me.

Sometime later Dan sent me a picture. It was a photo taken of a laptop with an opened document on the screen. In a corner one paragraph is visible: "In respect of Isaac Nelani a discrepancy exists between MCC [*Mangaung Correctional Centre*] report and pathologist's records: MCC records the death as a suicide whilst pathologist records it as a head wound." Dan told me the paragraph was part of a report compiled by BCC, the shareholders of the prison.

I enlarged the screen shot to see if I could include more text. I stared at the laptop and wondered whose it was and why this document was open. The person who had sent Dan the screen shot could surely have sent him the whole damn thing? Dan, as was his wont, was elusive whenever I asked.

"We'll get it. Don't worry," he said with his usual brooding look.

This smelled like a lead. I wanted the report.

But first, I revisited the magisterial inquest docket.

The second question the magistrate asked state pathologist Robert Gene Book was to elucidate the bruising on Nelani's heart. Book observed there was severe bruising to the posterior of the heart, concluding that "blunt force had been applied to the heart." Bruising of the heart can arise when CPR is administered, but then it appears on the front of the organ, not the back. Under cause of death Book noted that strangulation was the most probable cause of death, but he also concluded that the force, which produced the bruising, could have caused the death. The bruising to the heart was deemed suspicious: "it is never seen in suicidal hanging by the neck."

Maruping's observation that Nelani was placed on the floor of the cell facedown while Ninjas assaulted him is in line with the nature and place of the injury. The fact that the strips of clothing had disappeared and that the state pathologist had not been called to the scene of the crime, made it even more suspicious.

After months and months of badgering Dan with reminders, he finally handed me the report that mentioned the "head wound". Book, the pathologist, didn't mention a head wound in his report. Much like the leather jacket, this observation was a complete anomaly.

The shareholders of the prison – Bloemfontein Correctional Contracts (BCC) – had compiled the report Dan had finally shared with me. In it, they responded to an interim report compiled by the DCS, about the allegations of abuse uncovered in my investigation. The report provided a first insight into how the company and its shareholders viewed Nelani's death as well as various other allegations of abuse.

"Isaac Nelani did commit suicide in the quiet room in 2005," the authors of the BCC report wrote. "This incident was investigated by the Supervisory Committee and was resolved in 2011." I wondered how they had 'resolved' it. The Supervisory Committee had the mandate to impose fines and penalties for violations of the terms of the prison contract. Members of G4S and DCS were members. The committee was supposed to make sure the prison was run in a humane and orderly fashion. Did the committee read Book's assessment of the death? Did they shrug off the 'suspicious' bit? Did they not wonder where the strips of material went that Nelani used to hang himself with?

The authors concluded their assessment of Nelani's death: "The Contractor is not required, as part of its obligations to keep a record or report of all deaths, or to obtain or retain a copy of an autopsy report."

However, this is not in line with G4S's *own* internal policy guidelines. G4S's policy document, *Deaths in Custody*, details the procedure the company wants its employees to adhere to following a death in custody. Not only does para 2.2.11 stipulate that: "the name, date and time as well as the number of the member of the SAPS must be recorded," further obligations are also noted: the prison director needs to notify the SAPS, a medico-legal post mortem and investigation must be done, the prison director must order an investigation, the death of an inmate must be registered with Home Affairs and the SA Criminal Records Centre, and lastly, the policy document stipulates that a register must be kept in prison, that contains the legal investigation and post mortem.

A member of the DCS task team confided in me that the Nelani case kept him up at night. He revisited the scene of the crime, with state pathologist Book, to determine if it was at all possible to hang oneself from the back of the door of what was once purposed as a suicide prevention cell. His conclusion was a resounding 'no'.

"I spoke to Mr Book, the pathologist, and he told me that it would be impossible to hang yourself with a bruised heart. Bruised hearts are mostly lethal and if you manage to stay alive, you will not be able to move, because it is a very serious injury. There is no way to get a bruised heart after hanging yourself, unless the EST men kicked and thrashed a dead body. And how could you get a bruised heart and then hang yourself? That's also impossible. Nothing makes sense." The logic of his observation was simple and daunting.

From the dark bowels of the prison, a picture had emerged of a killing and a cover-up. Everyone – G4S, DCS, SAPS, Book and others – knew about it, and no one did a thing.

8.

Dust to Dust – Daniel Tebogo Bereng's Death

Daniel Tebogo Bereng's grave was easy to miss. The mound of red-brown earth with a simple welded nameplate at the head, was at the far end of Southpark Cemetery. The graveyard was opposite Universitas, the neighbourhood built around the University of the Free State's campus. The university's main building sat perched atop an elevation, untouchable, overlooking the sprawling collection of graves.

"My son, mother is here. Tebogo, my son, who I love," Anna Bereng, Tebogo's 89-year-old mother said, as reddish-brown dust slipped through her gnarled fingers onto her son's grave. A small dust cloud dissipated in the air. Dikiledi, Tebogo's sister, wiped away tears from her face on her woolly cardigan. Bassie, Tebogo's older brother, meanwhile kept his head down as he heaped dusty dry earth onto the mound with a spade.

Closer to the entrance of the cemetery the graves looked better maintained: there were headstones with engraved messages, brass rings around a last resting place, flowers and decorations placed here and there. These were clearly demarcated graves. Not like Tebogo's row of mounds, dotted with the odd withered bunch of flowers and broken, empty bottles planted head down into the top of the mound. These graves were sparsely decorated, less well tended to. The forgotten and the poor were buried here.

Litter spiraled up into the air, in mini tornadoes.

Anna gave birth to seven children, but currently Dikiledi, a woman with a moonshaped light skinned face, deep wrinkles around her eyes and a damaged, partially missing set of brown front teeth, was Anna's only surviving child. Dikiledi's siblings all passed away, disease and crime claiming their lives. Now, Anna's dead children's offspring all looked to her for motherly support and - like Bassie, her grandson – they all called her 'mum' or 'Ma'. And they all called each other brother and sister[12].

The family had forgotten where Tebogo was buried. They drove around the cemetery, trying to remember where they buried him four years previously, on the day of the funeral, 3 April 2013.

Anna's face was wrinkled and worn and her back stooped, but, leaning on her stick and with surprising strength, she grabbed the spade and started piling earth on her son's grave. She spat on a small rock she held in her hand and then placed it on the grave. The others followed her example. They clasped hands together and started praying. They were there to reassure Tebogo that his family was taking care of him.

[12] In this chapter, I am following/respecting the kinship terms the family Bereng uses for one another. So while Robert and Bassie, for example, are Tebogo's nephews, I am referring to them as brothers because they have always called each other brother and they were raised as brothers.

When the ceremony was finished, Anna clutched my arm.

"Baie dankie," she said, and I saw tears brimming in her old eyes.

"Have you forgiven him," I asked her in my best Afrikaans.

"Yes, I love him, he is my son, he will always be my son," Anna said as she looked at the dusty heap that was now decorated with some colorful flowers, a decoration that looked like a mini guitar and many small stones covered in fresh spittle.

The day after Tebogo died, a G4S warder phoned Dikiledi's house. Her daughter answered and was the first family member to hear that Tebogo had passed away in his cell. The news spread quickly. She phoned other family members, starting with Robert, who was closest in age to Tebogo. Robert is the only family member who visited his brother in jail, after Tebogo's 2010 conviction for the rape of a minor.

Dikiledi's daughter then phoned Bassie. Bassie worked as a DCS warder in a prison in Wepener, a small town where the cold from the Lesotho mountains blew over the border in chilling gusts. Bassie lived in Wepener alone during the week, and with his family at Anna's house, during the weekend.

As a child, Robert used to play with Tebogo, who was a year older than he. Together they would scale the rubble around the mine dump behind their township. They would catch rats and rabbits, which they grilled over a fire, then ate. "He was the bravest of all of us." Robert remembered. "I looked up to him and got to wear all his clothes when he grew out of them. He was my brother, he was my very good friend."

Robert was a healthy-looking, forty-something man with big bulging arm muscles and a wide generous smile, revealing a gleaming set of white teeth. Robert probably looked the exact opposite of what Tebogo might have looked if he were still alive: healthy, relatively happy, stable. Unscathed by illness and the vagaries of prison life that start to show on a face after some time. Robert lived down the road from Anna. During the day, he worked at a garage as a car mechanic.

Both Bassie and Robert, when they spoke to me on the phone, days after their brother died, were convinced Tebogo had been murdered. I met with them in April 2013 at Anna's table, in her lilac-coloured ramshackle house, which had over the years been extended: an outside toilet was added to the left and Bassie's weekend family home to the right. Potted plants dotted the yard, three sun-beaten kitchen chairs were lined up against a wall. A white Volkswagen, belonging to one of her many (grand) sons, was parked in front of the house. Next to Bassie's house, a young pup was tied to the wall with a chain. It

jumped up and barked aggressively whenever anyone walked past. Only when Bassie approached, did the hound calm down and he licked Bassie's feet and wagged his tail.

Robert told me that his family refused to visit Tebogo in prison because he had been convicted of the rape of a young girl. It was too serious an infraction. According to Robert, Tebogo befriended a 16-year-old girl who had some developmental challenges. They had sex, her parents reported him to the police and he was sentenced for the rape of a minor.

What didn't elevate Tebogo's popularity in the family either was the fact he had physically hurt Anna. He would hit his own mother. The family had taken him to the police station and reported Tebogo and his crime.

"He was always in trouble, in and out of prison. He was a thief and a thug before he was arrested for having sex with that girl," Robert said with a brotherly smile.

"Two guys who worked for G4S during that time came to my house" Robert said, over the phone some weeks later.

The men assured Robert that his brother had been killed in the prison, that it was not a natural death, as the death certificate stated.

"I asked them, please talk to us, to lawyers, talk to journalists, give us names. But they ran off. They feared they would lose their jobs," Robert said when I saw him next. He was clasping his hands on the table. Anna sat next to him, her beady eyes peering over her glasses, a red towel wrapped around her, pinned together on her chest with a huge safety pin.

"They, the G4S people, they told us that Tebogo had passed away and that his body was at the government mortuary," Robert continued as his mother clutched her towel. Sunlight filtered in through the holes in the lace curtains, deepening the leafy green colour of her headscarf.

"I want my son to rest," she said.

Tebogo wrote to the Wits Justice Project shortly before he died. In spikey handwriting, that looked like print-out of an ECG film of the heart, he told us about the expired epilepsy medication he was given at Grootvlei Prison, a medium security state-run prison, about 2 kilometers down the road from Mangaung Prison. He had been transferred from Grootvlei to Mangaung two months before his death. He wrote that he suffered from seizures and blackouts and he feared the expired medication might have lost its potency. He asked us for help or advice on how to sue the department for negligence. Looking back, it seemed a minor worry, compared to the fate that awaited him.

"Did you know Tebogo had epilepsy?" I asked Anna.

She looked at me and her voice croaked in her throat, like an old engine suddenly jolted alive. Her eyes were big. She raised her hands.

"No! I knew nothing."

"They told us that he passed away on the way to hospital," Robert said, wrapping his arm around Anna protectively.

"On Tuesday, the day after he died, I went to the mortuary to see my brother's body, with a family friend. They turned us away, told us the body was still under control of G4S. Then we drove to the prison. A guard called Manele spoke to us, she gave us R30 and his clothes. She said he had fainted."

"Already in those first few days, we heard three different stories about how he died."

"Bassie had bought a cow for the funeral. More than a hundred people attended. The whole ceremony took about three hours and then we fed the guests."

Robert experienced his brother's burial in a blur. He was still reeling from what he had seen at the funeral parlour when he had washed Tebogo's body. "There was a brown, cream-like substance applied to his sides. It came off and onto my hands," he said and he held up his hands, as if the brown stuff was still there. "There was a scratch on his head, dried up blood under his lips. There were big greenish bruises on his sides."

JR, the nurse who loved beers, was working as a nurse at the prison hospital the night Tebogo died.

When we met at Wimpy's, he again grabbed my notebook and started drawing the route of what would turn out to be Tebogo Bereng's last few steps through the multiple secure prison doors and corridors.

Tebogo's unit is called Port Phillip. He scrawled it on the paper in erratic pointed handwriting.

"He was here, in this cell." His pencil drew a circle around a square.

"He came out of his cell and he complained to the unit supervisor that he was cold. It was around midnight."

The Unit supervisor, Mr. Dondolo became angry and started accusing Rasta, as Bereng was known, of spoiling for a fight. Bereng was apparently swearing.

Lawrence Sehonka, Tebogo's cellmate wrote to us shortly after he died, confirming what JR had heard what had happened in the unit. "He had a conversation about his inner duvet cover (...) and the DSO didn't want to change the inner (sic.) The supervisor arrived (...) and he told Tebogo Bereng to pack his clothes (...) and things from the cell." The supervisor then phoned the EST who promptly arrived and they took Tebogo away. After about 30 minutes or an hour later, Sehonka wrote, the supervisor came back and told him that Tebogo had fallen down and died in the hospital.

"The EST took him to the hospital unit, where he was 'checked' for injuries," JR said.

Another inmate, who also wrote to the Wits Justice Project, saw Tebogo and the Ninjas as they went in, and later as they left the hospital. "I was coming from church and I saw them handcuffing his wrists. I asked if I could take his belongings to isolation, but they said no. I was making my way that way and I saw him coming from hospital as they were taking him to segregation. It looked like he was fitting."

Hlello Mbatyazwa was in the hospital unit when Tebogo and his guards arrived. "Four or five Ninjas electroshocked him with their shields in the corridor at the entrance of the hospital, where there are no cameras. Tebogo was screaming and trying to protect himself."

The EST then brought Tebogo to the unit Wolds, where JR was working that night, and where there were single cells called 'intermediate'.

"I saw him, he was foaming at the mouth, but still walking," JR remembered.

JR was about to knock off as Tebogo was brought in. He left and the next day a nurse told him that Tebogo had passed away. Guards checked on him an hour after they had dropped him off and they found him dead.

"He had a convulsion in his cell. His cell mate pressed the panic button, but no one came," JR said.

JR finished drawing out Tebogo's final route through the prison complex. His watery eyes looked at me.

"Epilim," he said angrily. "That's Bereng's medication. He had epilepsy. They never should have used those shields on him. That would trigger an attack."

I'm not sure if the old man was angry because Wimpy served no beer or because he worked in a hospital where he saw Bereng alive, and then dead, through negligence.

"That's it, I have to go," JR said and he was on his feet. I also stood, trying to think of something to say, something that would keep him here, so I could ask more questions about the fateful night.

"Bring beer next time," he said as he scurried off and blended into the sea of shopping people.

The state mortuary was tucked behind an industrial area. Constable Jamba of the Bloemspruit Police, had been assigned to investigate Tebogo's death. He was a young guy, with new sneakers, but without a car. He did have three different cell phones.

I picked him up and together we met Chantalle Liebenberg, the pathologist who drew up Tebogo's death certificate.

That certificate stated that a cellmate saw 42-year-old Tebogo feeling unwell and then collapsing. "No injuries noted," Liebenberg had written in the pathologists' report that the Bereng family had given me.

"When we receive bodies from prison, we follow the prison doctor's suggested cause of death, unless there are clear marks of injuries not consistent with the stated cause of death," Liebenberg explained in her office. She was a young, blond, blandish looking woman with a smile permanently plastered on her face.

"There were no visible injuries, so I followed DCS's notes. There was no request for a post mortem, so we didn't conduct a post mortem." This means Liebenberg had a perfunctory look at the body and didn't perform any internal examinations.

Liebenberg was unaware of Tebogo's epilepsy, while that must have been mentioned in his medical files. She also didn't check for any marks that correspond with the use of electroshocking or other forms of torture. The use of electrified devices in torture is such a time-tested method because it leaves no long-term scars, no trace of anything, after the first few days.

Like many other service providers I spoke with, Liebenberg was unaware of any irregularities at the prison. She listened and let out a soft joh! as I told her about my research at the prison.

Tebogo's death was as lonely and forbidding as the dust bowl cemetery where he was buried. He represented the nearly-forgotten amongst the bones and skulls of the forgotten, the poor, and the downtrodden.

The prison provided three different narratives on how he died: in his cell, on his way to the hospital or simply 'he fainted'.

From the eyewitness accounts and other evidence I gathered, I think he most probably died in a cell in the Wolds unit, on 31 March 2013, following an epileptic fit, brought on by the use of electrified shields and possibly expired

medication. The prison never investigated his death, the police didn't follow up, Liebenberg did not ask to review the case.

Like the brown dust whirling aimlessly above the graves of the souls in this corner of the Southpark Cemetery, Tebogo's death very nearly got swept away by lies and fear, and it nearly dissolved into nothingness.

9.

Don't Call me Farmboy

Ishmael

"There, that's one of them," Ishmael Mohlomi nodded his head at a big guy who was standing at the palisade fence. The man was nervously eyeing us. He walked to the road and started phoning. Was he reporting my presence to management, I wondered? He jumped into a car that had stopped at the curb. It sped off. It was the summer of 2016 and I was waiting with Ishmael for his court case to start at the Bloemfontein magistrate's court.

I had run out of small talk with Ishmael. The sun was beating down on the little courtyard and the court was still in session. We were told to wait in the courtyard for the arson case against Ishmael to start. In 2009, he had set his cell alight in Mangaung prison. Prison authorities had for months ignored his complaints and he had felt that that was the only resort.

In 2014, he had become a free man again after a judge acquitted him of a murder that had put him in Mangaung prison for years.

In 2016, his arson and malicious damage case that emanated from the 2009 Broadway riot finally came before a judge.

We moved to some shade under a tree.

Four more big men arrived in quick succession. One after the other they parked their cars, got out and milled around, chatting to each other.

I leaned back against the wall. Ishmael walked towards the men, who all looked vaguely familiar to me, but I couldn't put a name to their faces. He shook hands with one of them.

"Bra Shakes."

"Sho bra."

They kept their hands entwined as they continued the banter, shaking at intervals, as if to underline an important point. They both smiled, chatted, nodded their heads. They could have been neighbours or friends.

But they were not. When the men were done chatting and hand shaking, Bra Shakes looked at me and waved. I waved back and felt like I should know him and my mind was racing through memories, but it drew a blank. He started walking towards me, determinedly. He was still smiling when he said, "Hi, Ruth. Ruth Hopkins." He announced my name in a loud voice. I wanted to crumble into a tiny heap. The other guys were now looking at him, walking towards me with gusto. He grabbed my hand and started shaking it vigorously.

"I'm Shakes," he said. "Finally we meet. You know, mos, you're famous in Bloemfontein," he said. The other men smiled and nodded in agreement.

I'm bad at remembering names, but I usually recognize a face. And I was sure I had never seen his face. I had met most EST members in 2013. They had all been fired after they went on strike for the second time. They were angry yet liberated at the same time. In my mind, I was back in the room, end of 2013, with twelve big, angry, yet free men. They sat and stared at me. The answers to my questions were clipped, evasive and brief. I tried scanning the forlorn, stubborn, cross faces in that room but Shakes' round face, his low set eyes, big lips and soft cheeks did not pop up. Shakes was someone who looked like a 'nice guy', not a torturer.

Then it hit me. This is Video Guy. The Ninja on the inside who slipped Dan the tapes. Dan had 'edited' those tapes, taking out damning evidence of very brutal torture videos that revealed the faces or names of his colleagues. The cleaned-up footage was still explosive. I now fully realized how protective Dan had been. He had made sure Shakes and I never crossed paths. Till today.

As I am sifting through my memories of the Ninjas in the midday sun outside the courthouse, a court official appears and tells us that Ishmael's case will be postponed. The other inmate who had been brought to the court in shackles, is bundled back into a G4S van.

We're at court because Ishmael set fire to his cell or was present in a unit where other inmates were setting their belongings on fire, while they were still locked in their cells. Later Shakes told me that at that very moment, in a different unit, an inmate was holding a doctor hostage. "When we heard about the fires, I was furious. I thought, 'Who would do this, which adult would ever behave like this? *How dare they* treat us with such disrespect.' So we beat the shit out of them. It was total chaos in the unit. The cells were on fire, we had to unlock them and douse the fire. Then we tortured and beat them up. Inmates were lying everywhere, Ninjas were all over the place, shocking, kicking, *klapping*. I saw blood on the floor. Those prisoners had to *feel* who was boss. We made them feel. They were going to realize they could never do this again. We were boss, not them."

That day the Ninjas beat up Ishmael up so badly that he can no longer see with his left eye. The police ignored his complaint about the damaged eye; they either 'disappeared' his docket or added his name to a two-year backlog of prisoners' complaints at the station.

Ishmael invited me to the shack where he lives when he's in Bloemfontein. It's at the far edge of Freedom Square - a township built on both sides of a dusty thoroughfare. A lorry drove by on a slip road, leaving a diaphanous cloud of dust behind. It created a misty lens through which the tin roofs, long-drop toilets and open fires looked fairylike. But when the dust settled, it was a desolate place: dry, windy and unforgiving.

The shack was a property that belonged to his uncle. Corrugated iron sheets had been nailed together to form a rectangular box. Wind gusts kept lifting the top part slightly. Inside, a bed took up most of the space, there was a refrigerator that couldn't be working as there was no electricity or running water. A beat-up old radio, plates, a microwave, were stacked up on top of each other, lining the wafer-thin walls. It was suffocatingly hot inside.

Ishmael looked uneasy in his 2x4 meter shelter. He sat on the bed and clasped his hands in his lap. Ishmael had opened a car wash in Senekal, so he only came to Bloemfontein when absolutely necessary. It must be one of the low threshold options for the unemployed, as Thabo's rusty arches on a cement base in Grasslands signified the same mission to escape poverty.

I asked him why he had chatted with Shakes as though he was meeting an old friend, while that very man was responsible for his damaged eye. Did he temporarily suspend the anger, the outrage, the excruciating injustice of it all?

"It's better to act friendly around those guys. I know him from the hood. I see him around. If I challenge him, what will happen to me?" he asked. "They're not humans, they're monsters."

Shakes

Monsters. That word stayed with me. What is a monster? According to Ishmael, monster and human were mutually exclusive identities; you can't be both at the same time. I didn't think he was saying Shakes was a Frankenstein, a physically deformed monster described in fairytales and novels. Shakes's physical traits weren't monster-like, his appearance rather epitomized 'normal guy'. So the perceived monstrosity was to be found in his morals, or the lack thereof. What I think Ishmael was trying to say when he called Shakes a monster, is that he is morally corrupt and therefore incapable of doing any good.

At some point in Shakes's life, a chord was struck that awakened a ruthless, violent side in an otherwise quiet, introverted man. I arranged to meet with him several times over a period of about a year in order to try and understand these two competing sides in him, to find the monster, hiding in the shadows, softly growling at his kinder more compassionate inclinations. I wanted to understand the Shakes who carried out torture but I also wanted to see the Shakes who decided these atrocities had to see the light of day. I needed to see the Shakes who had risked his livelihood when he smuggled video footage, incriminating the EST team, out of the prison, into my hands. The Shakes who eventually admitted: "What we did was wrong."

'Shakes' is not his real name, but a nickname. Shakes was born Audick Letsoara and had acquired his nickname when his football teammates named him after South African football legend Ephraim Shakes Mashaba.

Shakes had worked for G4S since the prison opened its doors in 2001, and he was present when violence was meted out: he struck the blows, broke arms and ankles, he poured water on naked men bound to a metal bedframe, and he took out his electrified shock shield with an output of 6,000 volts. He placed the shield on genitals, heads, backs, chests and pressed the trigger. Until the screaming was too much to bear. He told me about the nightmares he had, where there was blood running in rivers on the floor. "I think back to the things I did and it haunts me. I have tried explaining it to my wife, but she just says, don't talk to me about your traumatic prison work, I don't want to know."

Shakes was feared among inmates. He belonged to the men who should be feared. But on the inside he was still very much the quiet introverted farm boy who grew up hungry.

Shakes was used to going to school on an empty stomach. His parents were poor farm workers from Kroonstad who could barely feed their brood of ten.

"Don't listen to him, he's a dumb farm boy." For years, Shakes would wince when he heard the school bullies talk about him like he was a simple hick with no brains. He swallowed the insults and kept his head down, determined to be the first in his family to matriculate. His results were published in the local newspaper, he remembered. It made his mother very proud.

"What they said, confirmed what I felt. I had an inferiority complex. I saw my father come home with a bruised face, time and again. He was a stubborn man and would get into fights with the farmers, who would beat and fire him." The farmers referred to his family as 'kaffirs' but he would see them together, this white tribe, extremely protective of and caring for their next of kin. "What made us different?" the young Shakes wondered. "Why did they have to humiliate my father?"

As a teenager, Shakes experienced something of a political awakening. "My parents had no idea who Mandela was. They didn't read, they are simple people."
"My teacher started telling me about our history, the role white people played. Our land. That it was taken away from us. I read about Black Power. Then one day, I saw youngsters in the center of town throw rocks at the police. All my life, I had been taught to run away from policemen and now I saw my peers throwing rocks *at* them. I thought they were crazy."

But the seed had been planted.

He realized that the history of his country was intimately linked to the humiliating treatment of his father. A deep-seated rage welled up. "I developed an absolute hatred of white people. I vowed never to work for a white *baas*, like my father."

So when the class bullies called him a 'farm boy' again, it punctured a hole in his pent-up repository of rage. A rage that was now amplified through his

newly found consciousness of the violence of colonialism, racism, land grabs and apartheid. He first went to his teacher to tell him he was going to deal with these three boys. Ignoring the teacher's advice to avoid a confrontation, he positioned himself at the school gate. When he saw them approaching, he closed the gate, effectively locking them into the schoolyard. One by one, he beat them up.

When Shakes finished high school, he moved to Bloemfontein in search of work. He survived on piece jobs, sleeping on friends' couches and was grateful for the surprising kindness of the people around him. A childhood friend had taken him under his wing and Shakes lived with his friend and the friend's mother in a shack in the mother's yard for a while. But as time went by, he felt he was a burden to the family and he moved on, living with a small-time criminal for a while. Even though he still regularly felt pangs of hunger when he went to bed, he was never tempted by crime.

"My father was an authoritarian. He taught us never to take something that didn't belong to us. All I wanted was to make my father proud - to find a job."

When he picked up the glossy G4S recruitment brochure at a local library, his expectations were low. But he went for an interview and made it to the second round.

"I didn't even know what the word 'contract' meant when they offered it to me. I felt, wow, now I finally belong somewhere. It was a huge turning point in my life. I had been offered an opportunity to escape the life my father led."

During his training he had been taught that the Emergency Security Team, also known as the Ninjas or the Zulus, was always to be in charge. "You tell the inmates what to do, not the other way around, that is what we were taught in training," he said. He also learned how to use 'minimum force' when restraining a violent inmate. The trainees had administered shocks to each other, so they would know how it felt.
"You know, it can knock out a cow. Do you know how big a cow is?" he asked incredulously. "It's like you're hit with an iron rod."

When he started his job, he was taught some other tricks. Shakes said that it was Dereck de Klerk, the security manager of the prison, who has been implicated in several violent incidents himself, who taught him about the water during his first few months on the job. "You know, mos, if you mix electricity and water, it hurts."

De Klerk also taught him that electroshocking hurts even more when one is naked.

"Shocks hurt a lot more if they're applied directly to the skin," Shakes said.

I thought of Malose Langa, a psychology professor based at Wits who, as an expert witness, has interviewed many G4S inmates. When I spoke to him, he told me that what the men said was what haunted them still. It was not the

physical violence; it was being stripped naked before men and sometimes women warders. This, in their experience, was way more traumatizing than any physical pain, because it was profoundly emasculating. While the wounds healed, the humiliation still troubled them years later.

I ask Shakes if humiliation was part of the plan. But he kept saying that electricity hurts more when it is applied directly to the skin. Maybe he didn't want to see, or maybe it was too painful or shameful to acknowledge.

He avoided any specifics, but he described endless cruelty. How the 'dark room' was exactly that, dark, but that you would see the victim when you pushed the trigger on the electrified shield, as little sparks would throw some light on the prostrate, often naked man who was about to get beaten up. The aim, Shakes said, was to teach the men some respect. To get them to tell them the information they needed or to just stop complaining. But first and foremost: respect.

I asked him if any of these memories were exceptionally atrocious to him. "There was this one guy, a big guy, a general who ruled with an iron fist over the other men. He was known for his strength and violent disposition. We had taken him to the dark room and were beating him, kicking him, electroshocking him. He begged us to stop. To hear a big man like that beg so desperately, that stayed with me."

Shakes was involved in these acts of violence, yet he shook Ishmael's hand, like they were buddies at a bar, cracking jokes. Years earlier he had beaten Ishmael in the face, cracking his eye socket and ruining the nerves in his eyes.

When they encountered each other outside the prison walls, the inmates and warders reverted to their public roles. They were guys from the hood, they stood an arm's length away from each other, laughing and eyeing each other up. They were men. They plastered over the past with small talk. They had left the arena where muscled, armed Ninjas fought unarmed men who felt they had nothing left in their lives but rage.

The mostly white management, meanwhile, sat in their sleek offices. They reclined in their swivel chairs. And they watched, observing the wounds, squirting blood, hearing hair-raising cries of agony and despair. It was not always clear who was going to win. Usually the prisoners, clad in light blue uniforms lost, while the Ninjas, the men in black, walked away victorious. But sometimes the enraged men nearly won. In 2017, a prison guard ended up in ICU with a punctured lung. The inmate had aimed for his heart and he had nearly died.

The Ninjas are untouchable, especially compared to their unarmed colleagues in the units. The Ninjas gloat on their WhatsApp group when an inmate has been assaulted. "You gents are my heros (sic). Warriors are never trained to quit or give up. What we all witnessed today was character. EST won the fight. Period." Bennie van Aardt, the security manager at the prison wrote. "I'm sweating it out at the gym while he is licking his wounds like a little

bitch that he is. Little did he know what he was attacking. But now he knows about the beast that I am." "He got it," another EST member writes.

Next time we met, I got lost on my way to see Shakes. My sense of direction is comparable to that of a duck in a thunderstorm, so despite having been at his house before, I was not sure where I was. My GPS inevitably failed when I drove into Bloemfontein's townships. It didn't help that there were barely any road signs. When I took a picture of a spaza shop and sent it to him through WhatsApp to check if I was close, he responded: "I can see you." A setting sun was spreading its orange yolk across the sky in a big fatty blob. I saw his silhouette standing in the yard in front of his house: short with a sizable age-appropriate boep. Shakes and I were the same age: 43 years old. He had been a talented soccer player as a youngster. He still played, but junk food, television and long waits at work had caught up with him and the circumference of his waist.

"You don't remember where I live, hey?" he said, laughing, as I got out of my car. Shakes walked ahead of me, across a small dusty yard and past a skinny looking Boxer chained to a pole next to a wooden doghouse. The dog got up with pointed ears, followed my movement to the house and then sat down again. We entered Shakes's house through the kitchen and I instantly smelled food and heard a TV blasting away. Shakes was wearing shorts, a long-sleeved t-shirt and slippers. He had finished work a few hours previously. His wife was washing up in the kitchen as we entered. She was small and round. Her face was very round too. She smiled and a few golden teeth glittered back at me. Curly black hair framed her pretty face. She never left the kitchen while we chatted. She was so quiet that I forget she was there.

Past the kitchen there was a small lounge, with a huge TV taking up nearly an entire wall. Shakes sat on the couch and folded his legs under his body in an attempt to sit in a lotus pose. Halfway there, his legs unfolded, and he stretched them to the side. We start chatting: about the politics in the prison, soccer, his two young daughters. Then the conversation drifted to the men he interacted with every day.

"I remember one inmate; he was one of those guys who had raped and murdered a lesbian. Her death was horrible. He had smashed her head to a pulp with a big rock after raping her." Shakes knew the young man from Kroonstad, as it was his home town and they had grown up there - at different times, but around the same people and families. They started chatting about all the friends and acquaintances they had in common. "I had a long conversation with him, he opened up about his crime, how he felt about it, his guilt. I just listened to his grief, his pain. And after a while, I started to feel for this guy. He was so young, and he had made a horrible mistake, but he was still a human. There is humanity in all of us. Inmates are paying for their mistakes and they should be given a second chance." Shakes spoke about the man in a soft voice; he chose his words carefully, sometimes halted in a sentence as he searched for the right words to describe his thoughts.

I wanted to ask him if torture and rehabilitation were not opposites. I wanted to ask him about the specifics of what he did and why he did it. But I didn't. As if he had heard my thoughts, Shakes started talking about his nightmares. "I used to be a friendly guy, shy and caring. I never got into fights or trouble. But this prison work has changed me. I feel angry a lot of the time. I have horrible nightmares. The terrible things I have done...." His voice trailed off. "And I bring it home. I take it out here." He drew a circle in the air and his eyes followed the motion. Later, he told me he had once hit his wife, after bringing home too much work-related frustration.

Shakes and his wife have two daughters, who darted in and out of the room while we talked. They had both inherited their parents' round features. The older one kept to herself, but the younger girl, who was three years old, cut through our conversation to show me her food, clothes, earrings and a book. While her dad was talking about his nightmares and anger, she climbed up on my chair and squeezed her bum into my seat. We just about fit.

"I realized what we were doing was wrong," Shakes said and I was surprised by this sudden admission. "I tried talking to inmates, asking them why they behaved the way they did, and I found it was more effective than all the violence. I tried talking to my colleagues and they agreed too, that we were going overboard. When I raised it with Dereck, all he said was 'Are you questioning my authority?' It felt like a threat."

"You vowed never to work for a white *baas*," I reminded him.

"I ended up in the same situation as my father. Sure, I was getting paid a lot more than him, but a white man was running that prison, and a few years ago I realized that they enable the violence to maximize their profits. They don't give a damn about us. And instead of taking them on, we were beating down our brothers. And that is wrong."

Shakes had asserted his need to be respected, stemming from generations of racially-charged disrespect and humiliation, by assaulting black men. The bullies would never call him farm boy again and the inmates would never think of disrespecting him again. But the whites remained out of reach, unreckoned with.

"Apartheid is still alive in that prison," Shakes said when I drew the comparison between the schoolyard bullies and the inmates. "To them, we are all disposable. But they are in charge, they call the shots."

On my way out, his wife smiled at me and said: "I'm scared. This is not going to get him fired?" She looked scared, despite the big smile on her face. Her hand rested on my upper arm.

"I protect my sources," I feebly tried, smiling back at her. What could I say? Shakes had risked his job before, he could have been fired, possibly sued. It was his choice to leak those videos, it was his choice to talk to me.

What I didn't know then was that two weeks later Shakes would be dismissed, together with seven other EST members. Not because they had found out he was talking to me, but allegedly for failing to comply with one of Dereck de Klerk's orders. The guards were convinced there was a concerted campaign to get all the people involved in the strike fired, one way or another.

At his house that night I tried my best to reassure his wife that he would be fine. When I left, darkness had fallen over the township. I scanned the street for other cars. The road was empty, the dust of the day had settled and the sun had withdrawn its orange rays.

10.

Business as Usual

Trying to convince the world that the company was conducting 'business as usual' captures G4S's response to the unfolding crisis at the prison.

In the midst of the prison revolt and just a few weeks before the department took control of the prison on 16 September 2013, G4S's clean-shaven 'Africa President', Andy Baker, faced the press in a side room at O.R. Tambo airport.

I had RSVP-ed for the press conference and was on my way to the airport when I got a phone call from G4S's South African media spokesperson, Kirsten van der Nest.

"Are you still coming to the press conference," she asked while I tried to navigate Johannesburg's rush hour traffic with one hand.

"Yes, I am actually on my way," I responded.

"Good, because we would like to offer you the chance to have a one-on-one interview with Andy Baker," she said.

This took me by surprise, as all I had received from G4S up till then were frosty replies that said they were contractually bound to refer all media inquiries to DCS.

"OK."

"There is one condition. You may not ask any questions during the press conference."

Puzzled, I made my way to the airport. I was not really that bothered by their strange offer, as I had gathered all the evidence I needed, the videos had been leaked to me and I had finally started writing the story, after a year of investigating.

As I entered the pressroom, I saw Baker standing behind a microphone. His voice was soft and his words sibilant. I could barely make out what he was saying. As I walked down the aisle to the front of the room, a hand landed on my arm. Another arm pointed at the place where I was supposed to sit; right at the back.

I tried to follow the press conference from the back of the room. The fact that one of the most powerful and biggest companies in the world was trying to contain me, a one-woman show on a shoestring budget, amused me.

The company, so Baker claimed in his soft tones, "has an exemplary record in prisons."

"They," Baker said, referring to the striking workers, "want a dismissed shop steward [Dan], reinstated." The strikers had been ordered back to work, he continued, segueing into his next set of assertive comments. "The deadline came and went and we regrettably saw no other option than to 'remove' the 331 staff members," He was referring to the mass dismissal of two thirds of the workforce.

A few members of the media, not more than five, sat in the front row. Two cameras had been set up. Baker kept talking, one smart, polished, concise sentence after another.

What about the spate of stabbings in the prison? One of the journalists asked.

"We think that they are motivated by financial motives, we have affidavits from some inmates that payments have been made. Payments for attacking a warder. Forces outside the prison are influencing events and they are leading to criminal actions," Baker responded.

"We are a fair organisation with fair human resources practices," he concluded. Baker was like a man reassuring his family all was fine, while their home was burning down to the ground behind them. He was stubbornly blind to the chaos erupting around him. The guards at the prison were on strike and the video footage shot inside the prison provided further indisputable evidence of abuse.

In the one-on-one interview, which was set up at the back of the room and took place after all the other journalists had left, I asked Baker about the woman who had just been held hostage in Mangaung. I had heard that the inmate who had taken her hostage had attempted to rape her. I had also heard that she wasn't a certified prison guard and that she never should have been allowed in close quarters with prisoners in the first place.

He shifted in his seat and drew the chair closer to the table. Then he smiled at me. The G4S website warns the reader that Baker "will leave you with two impressions – his great energy levels and his infectious enthusiasm for his (..) role with G4S." His main assignment in Africa was, in line with G4S's global business strategy, to expand the business.

"We're extremely upset by what happened," he said and an upset look briefly traversed his face. "We're very relieved that she was not hurt or molested. She loves working for G4S."

"So was she a qualified warder?" I asked.
"She was not an admin assistant, but she was more advanced than the role of warder. She worked in vocational programmes."

"So not a qualified warder?"

"She has skills, she has worked with us for years. She worked all over the prison."

"Not a qualified prison guard then?"

Baker returned to his sales pitch. "We have an exceptional management team. We have an exemplary record in health and safety and have won several awards in this field. We were elected Top Employer in 2012 and 2013."

I realized that this interview would not add much to the evidence I had gathered. So 10 minutes into the interview, I let Baker know that I was grateful for his time and the opportunity to speak to him personally.

"But you seem a bit angry?" he asked as I was gathering my belongings.

"Not at all," I smiled and left the room.

On 16 September 2013, the same day that Baker had assured assembled journalists at O.R. International Airport that G4S was a 'fair' organisation, Bennie van Aardt, a G4S security manager at the prison, shot inmate Boxer Maphikisa at close range with a rubber bullet in his left eye. It damaged that eye irreparably, leading to partial blindness.

The sequence of events following that injury revealed how very far the company was from being 'fair'.

Just after 10 am that day, inmates Boxer Maphikisa, Captain Rampa, Sandile Dastile and Patrick Rakhetsi had set fire to their mattresses and bedding in the Buckley Hall unit. They also broke toilet pots. They were dissatisfied with the mismanagement and the maladministration in the prison. The complaint and requests forms they had submitted to the management had been ignored for months, if not years. They were being locked up for entire days, some days passed without showers or sufficient food. The men claimed they should be reclassified and transferred to another prison, but their requests went unanswered.

The EST was notified of the riot and they entered the unit around 11 am, at the same time that Baker was reassuring journalists in Johannesburg that G4S was in complete control of the prison.

But the riot was far from under control. It was raging. The Executive Director of the prison, Johan Theron, wrote an email to Clement Motsapi, the DCS controller, informing him that "43 ceramic toilet pots had been broken in the riot and three streets [corridors in a prison unit] in the unit were set alight." He mentioned that an inmate sustained a 'facial injury' but didn't specify anything else.

Captain Rampa, one of the inmates who was involved in the riot, wrote to the Wits Justice Project with an account of what happened that day.

"They entered the unit firing at us, whereby me and fellow inmates, we jumped the exercise yard. (...) the G4S EST followed us and firing at us again (sic.)."

Rampa then named one of the Ninjas. "Bennie van Aardt (...) shoot (sic) one of my fellow inmates, Boxer Maphikisa on the left eye." He also claimed Van Aardt was carrying a needle and that he said to Rampa: "I hope you know this injection. You have to cooperate with us."

Rampa and Maphikisa surrendered to the EST after they had scaled the fence around the exercise yard, trying to flee from the barrage of rubber bullets. Rampa claimed they grabbed him, poured water on him and beat him up after they had shocked him with their electrified shields. Maphikisa and Rampa were then escorted to the prison hospital. Maphikisa's injuries were so severe that he was immediately transported to Pelonomi hospital. Medical files from the hospital show that Van Aardt also assaulted Maphikisa with the butt of his gun, lacerating his left ear.

All his injuries were recorded in the medical records from Pelonomi hospital that were included in the police docket. They confirm Maphikisa's eye and ear injuries. The files also show that the doctor discharged him two days later, noting: "the left eye still has no light perception." Meaning, he was blind in that eye.

About a week after the assault, Clement Motsapi, the DCS controller, suspended Security Director Dereck de Klerk, Security Manager Bennie van Aardt and Operations Manager Anneke La Grange, for the assault and resulting injuries.

The next day, Kobus Fourie, the Managing Director of the prison, wrote a letter to the Commissioner of Correctional Services, Nontsikelelo Jolingana, complaining about the suspensions of de Klerk, van Aardt and La Grange. In the letter Fourie not only admitted that 20 rounds of rubber bullets were fired that day at the prisoners but he also conceded that a firearm – one that released real deadly bullets – had been discharged: "The firearm was discharged once, into the ground, as a warning shot to certain inmates who failed to heed a verbal instruction to stop fleeing towards the fence." Fourie then went on to "deny that either Captain Rampa and Boxer Maphikisa were injured in the manner described."

Rampa, however, had also been injured. The medical files in his police docket mention: "A wound on the right leg and swollen right eye."

Dereck de Klerk, Bennie van Aardt and Anneke La Grange were arrested for the assault that caused grievous bodily harm (GBH) to Boxer Maphikisa. Five days later the prosecutor entered 'nolle prosequi' on the docket which meant that he or she was not going to prosecute the three for the crimes. No reasons were provided for why the charges were dropped.

The prosecution service did follow through on the malicious damage to property charge that the prison had laid against the incarcerated men. On 22 September 2014, the regional court in Bloemfontein added 18 months to Maphikisa and Rampa's sentences. Boxer wanted his J88 form included as evidence in the trial, but the judge told him that "that's not why we're here today". J88 forms document injuries and are accepted before a court as medical evidence.

The prison didn't allow Maphikisa any access to a lawyer. When attorney Egon Oswald tried to consult with Maphikisa, while he was still incarcerated at Mangaung Prison, management denied him access, claiming that Maphikisa was not Oswald's client.

Eventually Rampa was transferred to Khosi Mamapuru II prison in Pretoria. I paid him a visit there. The visiting area was an open space with wooden benches facing each other. Rampa sat opposite me and, under the watchful eyes of warders who patrolled the area, he spoke of how the events on 16 September 2013 took an even more chilling turn.

When I asked him about his injury, he lifted his orange prison uniform up to show me the scar of about 5 centimetres on his right shin. "This is where Bennie van Aardt hit me with the butt of his gun." One of the Pretoria warders slowed down his pace and started paying attention. Rampa noticed but kept talking.

Rampa was placed in a hospital cell after the riot had been quelled. There, he said, David Masuka, a unit supervisor, had entered his cell. "He came into my cell with an affidavit he said I should sign, because if I didn't, he would inject me. He was holding a needle." If he cooperated, so Rampa claimed, they would put money in his prison account.

Was this true? There was no way I could check this. What I did know, however, was that many other inmates that I had interviewed had spoken about being forced to sign affidavits. Some also mentioned non-medical staff had threatened them with a needle.

Rampa's affidavit, which he was asked to write shortly after the incident, implicated two guards. At the airport Baker had mentioned that inmates had signed affidavits implicating Dan in several offences. On the wooden bench in Pretoria, Rampa told me: "I signed an affidavit that stated Mr Dan Mbelwane influenced inmates to burn the prison," he said. "I thought I was going to die. I reasoned it was better to sign than to end up a cripple or dead."

After speaking to Rampa, I visited Bloemspruit police station to have a look at Maphikisa and Rampa's police dockets. Getting access to police dockets can be very much the 'luck of the draw'. Some stations will not provide access

without a formal request, while others are extremely helpful in finding files. It is one of the very few redeeming qualities of Bloemspruit police station: the officers have always been very helpful in providing the dockets of inmates who had opened cases, even though not a single one has been followed up on.

The station is housed in a dusty building close to a rural township in the vicinity of the two prisons. The police archives are squeezed into makeshift shipping containers in the yard behind the station. The construction looked like it had been upgraded from a temporary structure to a permanent fixture, without any alterations. One of the constables in the messy offices retrieved the dockets within a few minutes. He waited patiently while I took a picture of every page with my cell phone.

"Why are inmates' dockets never followed up on?" I asked him while I was snapping pictures of the pages in the docket.

He was a scraggly-looking, chubby white guy, in a disheveled shirt, who smelled like he had not seen a shower in a good few days.

"They always lie," he said. "A warder pushes them and they scream murder." I smiled and kept taking pictures. More police officers trickled in. I was there with a researcher who worked for the Legal Resources Center. The researcher and I started to attract attention. Clumsy attempts were made to chat us up. We kept smiling and packed up.

Included in the police docket was an email from a staff member at the DCS controller's office in Mangaung Prison. He had emailed his colleagues a set of questions soon after Boxer Maphikisa's assault: "Is the injury of the inmate consistent with Minimum Use of Force? Investigations must indicate the extent of the injury: will the inmate be able to see again? Did Contractor comply with the Firearms Act?"

These questions have never been answered. DCS took control of the prison in October 2013. Zacharia Modise, who was appointed the temporary head of the prison, immediately reversed the suspensions of De Klerck, Van Aardt and La Grange, the G4S officials responsible for Boxer Maphikisa's blindness in his left eye.

And this is how a contract is drawn up between a huge, profit-driven private contractor, with little regard for the law, and inactive and indifferent law enforcement. The police didn't follow up on a single inmate's complaints. The prosecutors were equally uninterested, and the magistrates and judges showed zero concern. They unwittingly, or intentionally, assisted the corporate and commercial exploitation of incarceration.

No one took responsibility for Boxer's injuries. G4S didn't, DCS didn't, the SAPS didn't. The magistrate who refused to take into consideration the medical evidence that Maphkhisa was blind in one eye? He didn't care. He

sentenced the men to further years in prison for damage to G4S prison property. The NPA dropped Boxer's criminal case, despite clear medical evidence of an unnecessarily violent attack.

The system is rigged to reflect an important rule that governs the corporate world of commercial prison security: the material; prison property, is viewed as superior to the immaterial; an inmate's sight and vision. The criminal justice system, cushioning the company in South Africa, facilitates and ensures this impunity.

11.

The Strike

Dan, the Madiba clansman, mentally armed with one of the most profound treatises on what it means to be black, was taunting a profitmaking prison from the Old Empire. The prison management ignored all the telltale signs that Dan was planning to bring the entire prison operation to a grinding halt.

Wage negotiations between G4S and POPCRU had been declared a dispute in October 2012. The workers demanded equal pay and benefits in line with what their colleagues working in state run prisons got. In March 2013 the Commission for Conciliation, Mediation and Arbitration (CCMA) ruled that G4S was 'reasonable' in their employment and remuneration policies. The guards' most important demand was not related to money though. The guards feared for their lives and safety: and they asked for improved safety and security for the predominantly black labour force working alongside inmates. They demanded that the ceramic toilet pots be replaced with steel – and unbreakable - ones.

"We demanded a housing allowance, a danger allowance. But our safety concerns came first though. Because what use is a R900 housing allowance if you're crippled or dead?" Dan said.

Barring a court application, the workers had now exhausted the procedural route for challenging their working conditions, because the CCMA had rule in the company's favour. A strike was imminent.

Around this time, early 2013, Dan started organising the inmates. He called a council with the gang leaders. Through them, he developed an operation much like a military underground network of cells. The generals had soldiers in every one of the seven units of the prison. Dan also organised his own army. His soldiers were present in every unit and they reported to him on a daily basis.

He was also getting to know a growing number of disgruntled men who were members of the Emergency Security Team (EST), the riot team, also known as the Ninjas.

"The EST was the integral part of my plans to destroy the system. Because if they are not on duty the inmates can destabilise the prison and the only way to clip the wings of G4S was through the Emergency Security Team (EST)," Dan wrote in an unpublished essay he entitled '*My unionist and activist life since 2010*'.

As a shop steward and institutional secretary, Dan was part of the wage negotiations team with G4S management. But he was also organising a ground war. He had won the trust of the Ninjas and during every lunch break they would gather around his car in the parking lot.

"During these lunch breaks," Dan writes in the essay, "we planned the downfall of G4S."

On a sweltering hot day in March 2013, I got to see a snapshot of how Dan organised his men.

After interviewing several inmates in the morning, I had exited the prison around noon for a lunch break. Fusi Mofokeng was with me. Fusi was in his late forties and had spent a large chunk of his life behind bars. In 1992, at the age of 25, he had been wrongfully arrested and convicted for the death of a policeman in Bethlehem. He served 19 years in prison for a crime he had not committed and was released in 2011 on early parole. In 2002, Fusi told me, he requested a transfer to Mangaung prison, where he stayed for two years. He said he had requested the transfer because it was advertised as a modern prison with ample educational opportunities, but quite soon he realised it was the worst prison he had ever been in.

The prison guards smiled and chatted to him as we walked in, asking him all about his life.

I was using the bonnet of my Mercedes as a table and had unpacked some bread, cheese, butter, paper plates and a tea flask. Fusi looked uneasy. I thought it might be because of the figs, humus and crackers that were arranged on the bonnet. Perhaps this was too bloodless and strangely exotic for a baSotho man.

"They're looking at us," Fusi said.
I looked around and saw several Ninjas leave the prison.

"Are they," I answered as I cracked open a bag with mixed nuts and dried fruit.

"They've never seen a white woman and a black man have lunch together," Fusi continued. I took a bite of a fig and observed the men as they walked to the far end of the parking lot.

The Ninjas crowded around the boot of a car. I saw their black bulletproof vests strapped around their torsos. I wandered out of the parking lot to get a better view. A man wearing a dark blue G4S uniform got out of the car. He was of medium height and wore mirrored sunglasses. I recognised Dan but I didn't call out to him, honouring the agreement between us not to publicly interact in any way within the prison complex.

The guards were drawn to Dan and his prophetic announcements about orchestrating the downfall of a huge company. Dan convinced the men and women of his strategy: the outcome of any strike would be dismissal. That

was a given. But, he reasoned, their skills and knowledge of the private prison system were irreplaceable. The prison would be completely gridlocked if they all stayed away. They would be dismissed but that would create the leverage to reinstate them on *their* own terms and conditions.

Dan was at the helm of a workers' movement that was swelling and gathering speed every day. He instructed the workers to stand up to the white men running the prison. And then he showed them how to stand up to a white man in a confrontation with HR Director Stephen Page.

During one of the strained wage negotiations, Dan lost his cool. Stephen Page refused to acknowledge that warders were being stabbed and assaulted nearly every month. "In that meeting, I stood up," Dan tells me. "I waved my finger at Page and said: 'Listen Page, you might think that we are stupid, but you just wait: one day I will outsmart you.' Then I walked off", leaving Page and other managers behind and dumbfounded.

Dan had promised himself he would never be a shadow of a man.

His audacious outburst sent a shockwave through the prison. A different kind of rhythm started throbbing in the men and women with the G4S logos on their shirts. And it started beating louder and faster every day. There was a sense of unity and anger among the workers.

Nearly every DSO I interviewed had experienced terrible violence. Guards showed me their medical files that documented injuries for which they had been hospitalised, others pulled up their sleeves or shirts and showed me living proof: bruises and scars covering their bodies. None of them had been offered any significant counselling.

Not even the female G4S guard who always wore large sunglasses that covered nearly half of her face. An inmate had kicked her in the face and injured her eye, which meant she needed to wear sunglass at all times, as her damaged eye had become too sensitive to sunshine and light.

According to the Labour Act, prison guards are not allowed to strike because their work is classified as 'essential services'. Police, air traffic control and blood transfusion services are some of the other services that are considered essential under South African Labour Law.

The G4S prison guards circumvented this ban by taking collective sick leave on Monday 12 August 2013.

This was the moment, in Dan's eyes, for every black man and woman working at or living in the prison to 'stake their rightful claim'.

Like his mentor and icon Steve Biko, Dan believed that white domination would crumble in the face of black unity.

"The sick leave was all about testing the system," Dan recalls.

Inside the prison walls, chaos erupted when the guards stayed away. G4S was unprepared. They had not anticipated the stay-away and scrambled to find staff to run the prison. Admin staff, vocational trainers, IT workers – the mostly white part of the workforce that was still working - were sent hastily into the 'streets', as the corridors with cells on each side are called. Most of these workers were not qualified as prison guards.

White staff are mostly accommodated in the building that houses management offices, which was later dubbed 'Nkandla', referencing the president's private homestead, which had been built unlawfully with money from state coffers. Although *Nkandla* is adjacent to the entrance of the prison, the people in that building barely interacted with prisoners during the course of their work. They could avoid having any contact if they wished.

And now management had to deal with the unspooling of order. Inmates rioted and set fire to three cells in units Port Phillip and Wolds. A workstation where guards log in and out was torched. Two Ninjas, who were called to deal with the fires, were stabbed with broken glass: one in the nose, the other on his hand.

"I am scared," a warder told me. "I fear for my life. Warders are getting stabbed and there are only two Emergency Security Team members on duty." He alleged the company was paying uncertified admin staff to feed the inmates who were being kept in their cells for 23, sometimes 24 hours a day.

"They're hungry," Sajeedah Coutts said when she phoned me in a panic. Her fiancée, Gershwin, had been placed in the Wolds unit, where an inmate had set fire to his mattress. Previously he had been badly assaulted, and she had contacted me after the prison refused to investigate the assault or allow Coutts to file a report with the police.

"He says he is missing meals and is being locked up for 24 hours," she told me.

On Friday, 16 August, G4S sent the absent workers a text message, warning them that their collective sick leave amounted to an 'unlawful strike' and that they should return to work, or else. When the 158 striking guards ignored the ultimatum, G4S took the case to the Labour Court and was granted an interdict declaring the collective sick leave 'unprotected' in terms of the Labour Act. The workers were ordered to return to work. Not one of them did.

The spreading unrest coincided with Dan's uncle, a father figure in his life, passing on. In his essay, Dan writes:

"In the month of August I lost my uncle, who was like a father to me. I cried for the first time after a decade, after I had lost my brother in 2002. I felt the same pain and I still feel that pain. He was going to be proud of me, for being a true leader like he was, a Unionist, a father, an uncle, a bother, a unifier and a comforter to all of us in the family."

On 17 August, a day after his uncle had died and the Labour Court had ruled that the stay away amounted to an unprotected strike, Dan wrote a letter to management on a POPCRU letterhead, titled: "*Grievance of the entire Shopstewards*". The nature of the grievance was: *'victimization'*.

"Our working conditions are unbearable and unfavourable," he wrote. "We have raised this numerous times and the employer is hell bent to dismiss us. We will put forward more during our grievance hearing, to expose the company," he ended the letter.

On 19 August, three days after the company and the court had ordered him to return to work, he penned another two letters on behalf of POPCRU. The first one dealt with the '*Rye Hill Grievance*'.

Two white officers had neglected, as protocol prescribed, to check for weapons or sharp objects on a newly arrived inmate. The inmate used a hand-made knife he was carrying to stab a black guard in the Rye Hill unit.

G4S appointed Rudi Mathee, whose job it was to gather intelligence on impending gang warfare in the prison and other disruptions, to investigate the case. He was also instructed to recommend action in the Rye Hill case. According to Dan's letter, Mathee recommended that the black warder should be suspended, whereas the two white officers who had neglected to carry out their duties should not be disciplined.

Dan concluded in this letter to management: "Whites will protect whites. We have raised racist tendencies in MCC [Mangaung Correctional Center] and our cries are falling on deaf ears and we are starting to see that racism is tolerated at the prison."

This was probably sufficient to antagonise the management, but Dan wasn't done yet. He wrote a second letter of complaint on 19 August, accusing the company of trying to win over the activity officers[13] in the prison, by discussing their employment offer behind the backs of union officials. The union and the company had been locked into wage negotiations for years. "We are not attacking your credibility," he wrote. "We are stating the facts."

Not surprisingly, Dan and four other workers were suspended on 9 September.

His suspension didn't neutralise Dan as the company had hoped. Rather, it catapulted him into an even more significant leadership role. Now that he no longer had to show up at the prison every day, he worked for the union fulltime, with a newfound focus.

[13] Officials who work with inmates on vocational and other programmes, as distinguished from Direct Supervision Officers, who guard the actual prison units

"We would get together around a braai at someone's place, we'd sit and drink beers and talk about everything. Revolution, black consciousness and Communism. We felt strength in unity, we were hopeful," he remembered.

Emboldened by Dan's leadership and in the wake of the terrible Marikana massacre that had taken place a year previously in Rustenburg, the G4S men and women started gathering at the *Koppie*: a garbage strewn, open field in Rocklands, one of Bloemfontein's oldest townships. They would sing struggle songs and they would march to the prison where the crowd would stand in in front of 'Nkandla', chanting.

"I slept very well the day they suspended me. It was a beautiful day in my life," Dan said when I met him after the strike. We were in Wimpy again; I was sipping their weak coffee and Dan was sucking coke through a straw. He looked rested.

"There was this one prison general in my unit, he was called Nagel. I had a very serious confrontation with him. He asked an inmate to send me a message: he was going to call me to order. A few months later, the inmate messenger stabbed a warder in the Wolds unit, with razors. And I knew that could have been me."

In the fabled hierarchy of prison gangs, stabbing a warder is related to honour: a warder's blood on the floor elevates the status of a member.

"I had this awful nightmare, where inmates were pushing us into a corner, and then the warders turned on me as well," he remembered, his forehead a brief tangle of wrinkles.

"You know when an African man talks about having nightmares, it is not accepted. In our culture they would say this person is bewitched. But I speak about it, because I realize I am not the only one."

The prison guards' unity was growing day by day and when Dan's suspension was announced on 9 September and they protested by organising another strike. This time, they didn't hide behind a collective sick leave. This strike included 331 people – representing two-thirds of the workforce.

On 11 September 2013, hundreds of prison workers marched three kilometres to the gate of Mangaung prison. Their self-made placards read: "There's no safety in this centre of Frustration. Our Lives are Gambled with." Other cardboard signs called for the resignation of the HR manager, Thabang Molise and HR Director, Stephen Page respectively.

The striking men and women, clad in their G4S uniforms, arrived at the prison gates where they intended to hand over a memorandum with their demands: improved safety and security for the warders was at the top of the list,

followed by the removal of the HR Director Stephen Page and other management officials, and the reinstatement of Dan and his co-defendants.

But the demonstrators faced a wall of riot police officers who didn't allow them to enter the premises, because it would amount to 'trespassing'. The management refused to appear or to accept the memorandum and the workers danced and sang their way back to the *Koppie*.

Initially, POPCRU had Dan's back. They made the reinstatement of the five suspended guards, Dan specifically, part of their demands going forward. G4S accused Dan of 'inciting violence, labour unrest, gross intimidation and victimisation, amongst others,' and they reported him to the police. The Labour Court ruled in G4S's favour on 13 September. "The respondents are interdicted from engaging in intimidatory, threatening and violent conduct and inciting unrest and industrial action at the prison," the court instructed Dan and his co-defendants.

The Labour Court reiterated again, in a ruling on 19 September, that the strike was unprotected and that the 331 workers were ordered to return to work, failing which they would be suspended.

The chaos and disorder that raged through the prison during August and September 2013, was beneficial to my investigation, as most guards and Ninjas no longer felt bound by confidentiality clauses in their contracts and words flowed freely. I was around Bloemfontein a lot during this period, speaking to as many people as possible.

But not everyone wanted to talk. Fanta, one of the few black female managers, practically threw the phone down. "I can't talk, my house was stoned and nearly burned down," was all she said before the line was disconnected.

"I don't want to stop working," he said. "I need the money. But I'm scared to go back. They will burn our houses."

Dan once casually mentioned Molotov cocktails. When I asked him to elaborate, he said he only showed his colleagues how to make them, which ingredients were needed and where to buy them. But he had never thrown one himself.

"Threw them where? Stephen Page's house?" I asked.
"No, the lower level managers, the men and women who live with us in the townships," he admitted.

Burning down a white man's house was obviously a step too far.

In the end, the strike did not bring the company to its knees, as the disgruntled workers had hoped. From October 2013 to August 2014, the Department of

Correctional Services took control of the prison. During this period, the return of the dismissed workers, except for Dan and his small cabal of muckraking soldiers, was negotiated and achieved. DCS did not hold G4S or BCC accountable and barely any fines were imposed. No one was fired.

POPCRU suspended Dan early 2014, accusing him of organising 'side meetings' and ignoring instructions from the leadership. POPCRU applied for and got an interdict against him from the High Court in Bloemfontein, barring him from: "trying to control POPCRU members, organising, demobilising and discouraging members to accept settlement agreements."

POPCRU negotiated the return of the other dismissed workers. The union had demanded that G4S leave the country when the first strike broke out. But when DCS handed back the prison to G4S in August 2014, their tune had changed completely. Laurence Msinto, POPCRU's Free State secretary said in an interview with me: "We are closing this chapter. The workers were without pay for ten months, we have made sure they have an income again. We hope G4S will show competence, going forward."

Dan alleged Msinto had been bought. He said that if Msinto made sure the workers would go back to work, he would be promoted to director at the Free State Department of Roads and Transport. And this is indeed the position he currently holds.

When the prison guards returned to work in August 2014, they found that G4S had not replaced the ceramic toilet pots that were being used to stab and maim the guards. Their grievances had not been addressed. Instead, the prison had returned to 'business as usual'. It led to a mass exodus from POPCRU.

12.

The Rolls Royce that should have been a Toyota

In order to understand how 'a state-of-the-art facility' turned into a site of chaos, labour unrest and abuse, one needs to understand why South Africa decided to privatize in the first place.

Pre-1994 South Africa had a strong economy based on "state-supported industrialisation, the strength of gold as the foundation of the economy and the state's overall success in maintaining an ultra-cheap black labour system," researcher Stephen Greenberg writes in his 2006 book: '*The State, Privatization and the Public Sector in South Africa*'. [14]

The devaluation of gold in the eighties heralded the end of this economic model. The apartheid state looked to the market for reinforcement. It started selling state-owned enterprises. The Iron and Steel giant ISCOR was privatized in 1989, retaining the state as a majority shareholder.

The ANC, steeped in struggle and socialism, embraced a different economic vision. In the party's Freedom Charter the party outlined their plans: "All industries (should be) controlled to assist the wellbeing of the people." And, "The mineral wealth ... the banks and monopoly industry to be transferred to the people as a whole." The ANC believed the apartheid government was championing privatization as a way to preserve and retain white wealth. This is why they were against it. Initially.

In the early nineties things started to shift within the ANC as the idea of a 'mixed economy' gained ground, opening the way for public-private partnerships (PPP). The post-apartheid state inherited approximately 350 state enterprises. The idea that these enterprises could be privatized was broadly accepted, initially on a pragmatic case-by-case basis.

The fall of the Soviet Union and with it the sustainability of a centralized state-led economy; the rise and success of emerging markets in Asia; as well as the prescriptive deregulation and liberalization agenda of the IMF and the World Bank, were all factors which pushed the historically socialist ANC government in a more liberal direction.

Privatization became official policy in 1996, with the Growth, Employment and Redistribution (GEAR) strategy. The central idea behind GEAR, wrote Greenberg, was that capitalist growth would lead to poverty reduction.

The attraction of privatization was that many believed commercial firms would get the job done swiftly and affordably, compared to state bodies. Competition fuelled efficiency and affordability. State departments worked within allocated budgets and were not subject to the laws of supply and

[14] Greenberg, S. (2006) *The state, privatisation and the public sector in South Africa,* Southern African Peoples' Solidarity Network (SAPSN), Cape Town, page 9.

demand, which meant dysfunctional units or departments could often continue to exist. The private market would make that a thing of the past, proponents of privatization preached. It would be better, for less money.

Formally, Greenberg writes, the process of privatization had three goals: to reduce the national debt; to redistribute infrastructure and services; and lastly to improve the efficiency of the economy.

Black economic empowerment (BEE) was only added as a goal of the privatisation policies later. As a policy, BEE became institutionalized when the National Empowerment Fund was established in 1998. The NEF received stakes in recently privatized companies. With that money, black entrepreneurs and investors could start up new businesses or buy shares in other companies. Through this fund, the ANC-led government hoped to achieve a redistribution of wealth and to fast track black entrepreneurs through the system.

What it did in practice, though, was strengthen the ANC's control over business, with senior managers of the so-called parastatals earning exorbitant salaries. The masses enjoyed little to no benefits from BEE policies. A small group of politically connected businessmen saw their fortunes grow. It created a protective wall of business patronage around the government.

The privatization of South Africa's former state-run companies was not subjected to many democratic checks and balances. The elite, pressured by international financial institutions, decided this was a good idea. The bills enabling the privatization were tabled in Parliament but the basic discussion around the necessity, desirability and utility of privatization was never held.

Similarly, the Correctional Services Amendment Act 102 of 1997, which provides for the Minister to contract out the design, construction, finance, and management (DCFM) of any prison or part of a prison, was pushed through Parliament, hastily, bypassing any thorough discussion on the desirability, utility or ethics of the enterprise. Should a state outsource one of its more interventionist powers – the monopoly on restricting or withholding freedom of movement and the monopoly on violence – to a company that is part of and subject to pressure of financial markets? That question was never discussed in Parliament or civil society.

While modern private prisons were only introduced into political discourse in the 1990s, privatised prisons were built in South Africa as early as 1885. Diamond mining company De Beers employed convicts – many serving a sentence for violation of pass laws – in its mining operation, after gold and diamonds were discovered in South Africa. "The mining company paid the expenses to incarcerate their labourers and also paid the state for the use of their prison labour. By the end of the 19th century, the De Beers Diamond Mining Company was using over 10,000 prison labourers daily," KC Goyers

of the Institute for Security Studies (ISS) wrote[15]. Convict labour enlisted privately in the mines was only abolished in South Africa in the early 1950s.

South African poet and academic Gabeba Baderoon wrote in her groundbreaking essay *The Creation of Black Criminality in South Africa,*[16] about the exploitation of prison labour in South Africa.

"(...) after the South African war ended in 1902, the state and the mining industry became increasingly reliant on the labour of incarcerated Africans. There was a direct correlation between laws that increased levels of imprisonment and the labour needs of the state and the agricultural and mining industries." Prison labour became central to the economy of the state and thus the number of laws that criminalized Africans shot up. South Africa currently has one of the highest incarceration rates (rates of inmates per 100 000 people) on the continent.

This alarming rate of arrests and incarceration has not been matched by a capacity to process the huge influx of people into the system. In the 1990s prisons therefore became heavily overcrowded, and hotbeds of disease and violence. Overcrowding had to be tackled with the help of the private sector. At least, that is what the minister of Correctional Services, Sipho Mzimela, reasoned in 1996.

Post-apartheid, Mzimela was the first politician to introduce the idea of privatized prisons. He pushed through the privatisation of prisons in South Africa in record time. His plans were announced in April 1997; by July 1997 five different consortiums had been shortlisted to tender for four prisons. In 2001, Mangaung Prison opened its doors, followed by Kuthama Sinthumule Prison, run by American GEO group in Makhado, Limpopo.

The first tenders were awarded before the enabling legislation had been tabled. No feasibility studies were carried out to ascertain if private prisons were indeed less expensive compared to state-run detention.

The enabling legislation went through Parliament in the middle of 1997, when rafts and rafts of new post-1994 legislative proposals were being funneled through Parliament. In other words, there really was not much parliamentary scrutiny of the political decision to privatize prisons.

The public perception of rising crime rates provided the excuse to wave through the enabling legislation. The public's perception was that of an abundance of violent crime, exacerbated by an ineffective police force. Memories of the early 1990s, when a near civil war broke out in the country,

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[15] Goyer, KC. (2001), Monograph 64: Prison Privatisation in South Africa: Issues, Challenges and Opportunities, Institute for Security Studies, Pretoria.

[16] Gabeba Baderoon: https://africasacountry.com/2018/12/the-creation-of-black-criminality-in-south-africa (accessed on 05/03/2019)

were still fresh. The arms used in that simmering conflict were scattered all over the country.

Gideon Morris, the then Director of the Judicial Inspectorate for Correctional Services (JICS), a semi-independent governmental watchdog for prisoners, said in a 2005 University of KZN study: "There was a lot of political voice to the fear of people, you understand, 'crime is out of control, it's spiraling' (...) and the government wanted to clamp down on the fear (...) what they also said is, 'let's outsource the risk of keeping the worst of the worst, let's send those baddies then to the private prisons, so when they escape, it's not us'."[17]

This outsourcing of political risk in times of rising crime rates in an otherwise volatile society is an obvious attraction for governments. When something goes wrong, they can blame the company and the company can hide behind corporate confidentiality. In effect, there will be no one to blame.

Mzimela had become enamored with the American prison industry while he lived in the United States during exile. He served as a chaplain in a prison and got to know the correctional system from the inside. In his view, privatized prisons were beacons of modernity and efficiency. In 1997, Mzimela and a group of high-level DCS officials traveled to the United States and Europe to gather further evidence of the success of privatized prisons, which would later enable the introduction of the privatized incarceration in South Africa.

Upon his return the minister stated unequivocally:

"Wherever the private sector got involved, they have delivered a better service, and have done it at less cost to the taxpayer. What I have seen in the United States is very good. The prisons that are run by the private companies are far more efficient in every sense because they are run by business people, unlike those in the Department of Correctional Services who are not necessarily trained to run businesses." [18]

This rather robust statement fed into an enduring feud between Mzimela and the department.

The government's formal political rationale to delegate the constitutional duty to provide humane incarceration to inmates, was that privatized prisons would help combat severe prison overcrowding. At the time, some of the country's prisons were up to 300% overcrowded. This caused a vicious cycle of malnutrition, scarce or non-existent medical care, violence and abuse. This in turn led to sickness, suicide and the deaths of inmates who were warehoused in often old and dilapidated buildings. Mzimela wanted to build 15 more prisons throughout the country to address this problem fast and head on. His

[17] Massey. S., (2005), *The Experience of Service Privatization in Developing Countries: The Case of South Africa's PPP Prisons*, Masters Dissertation, University of Kwa Zulu Natal, page 68.
[18] Ntsobi, MP. (2005), Privatisation of Prisons and Prison Services in South Africa, Master dissertation, University of Western Cape, page 74.

conviction that private commercial companies were suited for the task also hinged on the belief that it would save the government and the taxpayer a lot of money. Both outcomes – a speedy approach to overcrowding and savings for the public purse – would serve the dignified treatment of prisoners. It was a win-win situation, he felt.

The attraction of private prisons – from the perspective of a government – is initially short term: the state will not incur any initial construction costs, the company raises the capital and builds the prison and the government repays the company over the however many years the contract stipulates. The kind of capital required to construct a prison from scratch is no small amount. The R400 million that was required to build Mangaung Prison forms the reason foreign companies often finance these contracts. South African companies simply don't have that kind of equity or would not qualify for banking standards required to apply for a loan of that magnitude.

The Department of Public Works was known to take eight or nine years to build a new prison. Private companies, so Mzimela knew from his time in the states, could do the same in 15 months. He could achieve results soon. Because the cost of building and maintaining a state-of-the-art prison for approximately 3000 maximum security inmates is so high, it is often impossible for government departments to raise the capital swiftly. For example, if the government were to raise the capital itself, it would have to engineer the sale of government bonds, which Parliament would need to approve. In other words, the delaying force of democracy can get in the way.

The tender process was the opposite of the political vetting process. It was extremely detailed and lengthy. The bidders were directed through an investigation process, they had to answer thousands of questions about their funding, socio-economic achievements, economic empowerment and other criteria. Their compliance with the strict tender conditions was scrutinized.

It was hard work for Bloemfontein Correctional Contracts (BCC), a consortium of five shareholders that had entered the tender process for the Bloemfontein prison. G4S was one shareholder and thus received 20% of the profits of the prison. Insurer Old Mutual was another shareholder. Three empowerment companies, Fikile Mangaung, Ten Alliance Mangaung and Ikwhezi Community Trust (ICT), registered at the same address as G4S South Africa, each held a 20% shares in the prison.

"From the consortia's (BCC was one of them) side, they negotiated on three levels: with the bankers, in order to secure funding, with the lawyers, in order to draw up the tendering document, and with the government, in order to win the bid" student Sarah Massey wrote in a 2005 MA dissertation at the University of KZN[19]. She interviewed several board members of the consortia.

In 1998, the tender was discussed before the tender board, which was made up of officials from three different governmental departments. The guidelines for

[19] Massey (2005), page 62.

the tender board did not allow for tenders of this magnitude, but Mzimela lobbied for and pushed through approval. In 1999, the tender for the construction, maintenance and operation of Mangaung Prison was awarded to BCC.

The prison contract

The 2000 contract between BCC and the government is a so-called lease-purchase contract, which means that the government pays rent and an annual fee for the services the companies provide. "The lease payments include not only a day-to-day fee per prisoner but also repayment for capital expenditure over the long term (25 years) to ensure that, by the expiry of the contract term, the government has repaid (with interest) those costs," law professor Julia Sloth-Nielsen explained in a 2003 article[20]. After 25 years, once all the payments have been made, the title for the facility returns to the government.

The government basically locked itself into a financial agreement that was tied to a management agreement for 25 years. In 2002, the Treasury investigated if and how the government could renegotiate the contracts with the consortia and the answer was a firm no. The contracts were inflexible and did not permit much wriggling room. The shareholders, meanwhile earned a 30% return on their equity, which translates into a handsome profit.

Very few people actually understood the contract. Part of that problem lay in its length. The contract contains 2300 pages of dense legalese. In Parliament this was highlighted as a possible obstacle to understanding the obligations of the consortium and those of the state.

The Parliamentary Portfolio Committee on Correctional Services is supposed to play an oversight role vis-à-vis all prison matters in the country. However, it was only given access to the prison contract in 2002, two years after the contract had been signed and one year after Mangaung Prison had opened its doors. The fact that DCS officials tasked with drafting the contract, later joined the companies tendering for the contract, exacerbated this situation.

The contract sets out the legal framework for the design, construction, finance and management (DCFM) of the prison.

The main contractor is Bloemfontein Correctional Contracts (BCC), a consortium of five shareholders. BCC is allowed to subcontract work. 'FMR Joint Venture', a collaboration between construction firm Murray and Roberts Buildings and Fikile Projects, one of the empowerment shareholders, was given the subcontract for the construction of the prison. FMR finished the construction of the prison three months earlier than planned. In July 2001 the

[20] Sloth-Nielsen, J. (2005). Policy and practice in South African prisons: an update. *Law, Democracy & Development*, 9 (1): page 6.

first prisoners arrived and the prison reached its capacity in January the following year. Later, Murray and Roberts sold their shares to Old Mutual.

The operation agreement is contracted to G4S, which went under the name Group 4 at the time. Group Four turned into GLS and in 2004, after acquiring Securicor, into G4S.

BCC provided only 10% of the funding required for the project, the remaining 90% was loaned by ABSA Bank and Investec. Their loans were placed in the Bloemfontein Prison Trust, represented by Hendrik Beukes Oppermann, a senior banker with ABSA. Because the Bloemfontein Prison Trust provided the funding for the project, security was ceded to them. BCC provided security to the Prison Trust for the loan, by offering the Trust rights to "project documents, the project revenue, all the accounts of the borrower (BCC), as well as all amounts held in those accounts". In other words, the Bloemfontein Prison Trust, which held money secured from ABSA and Investec, ultimately controlled the prison operation in Bloemfontein.

It is close to impossible for the government to terminate the contract without incurring crippling debts. If the contract is terminated, DCS will be responsible for paying off the full capital cost of the prison, in addition to the millions and millions it has already spent on the prison. The department's budget has been overstretched and underfunded for decades.

"In effect, BCC can hold the Department of Correctional Services to ransom for the full capital cost of the new prison in Bloemfontein. Since the South African government does not have sufficient funds to pay that ransom, the government and the South African public is at the mercy of BCC," researcher KC Goyer of the Institute of Security Studies (ISS) wrote in 2001[21]:

Stephen Nathan, a writer and researcher of privatised prisons commented: "(...) under the terms of a PFI [Private Finance Initiative] prison contract, in the event of operational failure it is the project's financiers – the banks – not the state authority that decide whether a new private operator should be brought in or whether the state can buy out the contracts and take over. [22]

The long-term costs of the privatisation project became very obvious quite soon. Because G4S could specify their services in units – education, meals, gardening, vocational training, religious classes, etc. – they could add endless items to the bill as the contract did not prohibit that. In Mangaung, the price per inmate per day – made up of an operation and construction fee – had increased from R154 in 1998, when the conditions in the contract were negotiated, to R215 in 2002, when a DCS task team on PPP projects investigated the costs and affordability of the prison contracts. In 2018, the cost per prisoner per day had increased to R365.88.

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[21] Goyer, KC. (2001), page 45.
[22] Nathan, S. (2003) *Seminar Report: Prison Privatisation*, Open Society Foundation for South Africa, page 14.

The prisons were so expensive that the government announced a recruitment freeze on public servants in 2002/2003. Tim Prüssing, a student of accountancy at the University of Cape Town calculated the total public sector cost for Mangaung Prison[23]. As of 2014, DCS has paid BCC R1,730 million in fees. These fees took up roughly 5% of the entire DCS budget. The reason these fees are so high and had increased over the years, claimed Prüssing, was because of the high costs of debt that the shareholders incurred when they applied for bank loans. Other factors that influenced the rising costs were the flexibility of the contract in terms of endlessly adding items to the bill and the inflexibility of the contract in terms of renegotiating its conditions.

The parliamentary task team also discovered that BCC, the shareholders to the Mangaung Prison contract, earned higher than normal levels of return on their equity. BCC was earning close to 30% at the time. Return on equity refers to the income a company earns if one subtracts the debts from the earnings. In other words, DCS was paying more than what they had bargained for and BCC/G4S was getting richer by the day.

The prisons turned out to be much more expensive than the government had thought, and contractually there was nothing much they could do about that. Sue Lund, the government's advisor on Public/Private collaborations, concluded at a conference on private prisons in 2003 that: "We ordered a Rolls Royce, but we should have ordered a Toyota."[24]

[23] Prüssing, T., (2015) Public-Private Financing in South Africa, Minor Dissertation, Masters in Commerce and Finance, University of Cape Town, May 2015, page 52.
[24] Nathan (2003), page 12.

13.
Keeping it Tight: The Department of Correctional Services

Not being able to blend in is written into my DNA. I grew up in an English family living in a village in the north of the Netherlands. We were known as the "Red Family" quite possibly because we are four red haired women and one eccentric dad. Our foreignness and flaming locks were not well received. My childhood memories are filled with street fights, name calling, and sturdy farm kids ambushing me on my way to school, whereupon they would trash me and my schoolbooks. If my sisters, mother or I ventured out, inevitably someone would yell "*Rooie*!" or worse, from across the street or the train platform, in supermarkets, classrooms, and public libraries. I couldn't hide. I remember a fight, a scuffle, an ambush and beat down for every street corner. On my tenth birthday, I dragged my father to a toyshop where I begged him to buy me boxing gloves and a bag for my birthday. He refused, claiming 'boxing is not for girls'.

So the street fights continued without boxing training, until gradually, the hostility changed into admiration. The hair on my head that I detested with a passion, became an object of adoration. People would, uninvited, touch it and drool over its beauty. That still didn't mean I blended in. Over the years I embraced and settled into that position of outsider, using it to my advantage.

After I moved to South Africa, the appellation I loved to hate (rooie/ginger/carrot head etc.) disappeared. I was now "that white lady'. My old otherness had created a natural compassion for people who were excluded, not accepted, and bullied for no reason. But at the same time, it had blinded me to my own whiteness. I had never given my race much thought.

In South Africa, I was reclassified as another 'other': a white person, belonging to a minority with a whole new set of signifiers. South Africa made me confront my whiteness and made me think about what the meaning is of 'my people' – that group of people I had never felt a part of. I'm a British national, born in the UK to a British mother and a father with Irish heritage, and I grew up in the Netherlands. The countries of my nationality and residence were responsible for the design of apartheid rule. While I grew up in a left-wing, politically-conscious family, with parents who dragged me to anti-apartheid protests, moving to this country really opened my eyes to the destructive inheritance of that system still felt by most black South Africans to this day.

The dominant political discourse in South Africa today is one of decolonization and of land and wealth redistribution. That discourse, sharpened and amplified at the site of my employment, Wits University, has had a profound effect on me and educated me about race and in what means to be white and European.

In a country with such a vibrant, often volatile debate around race and wealth, it was fascinating to see a powerful British security conglomerate earn a profit off incarcerating South Africa's poorest citizens. Unfolding alongside my own

racial awakening, my investigation into the British security company running a South African prison, baffled me. Why had South Africa, with its dark past of racial domination and incarceration practices, invited an aggressively expanding multinational into the country? In the past, the British had imprisoned and tortured South Africans in the name of their expanding empire, and now they were back in corporate disguise, doing the same thing.

A 2013 article in the *Financial Times*[25] compared the security behemoth to the East India Company: "[G4S is] an organization of a scale and scope rarely seen in the private sector since the 18th century, when the East India Company ran its own army, ruled large parts of the British empire, and implemented some of the most controversial government policies of the age.... Damaging scandals are raising questions on how the third-largest listed private sector employer runs its empire," the introduction to the article read. One of the scandals mentioned was the abuse I had exposed in Mangaung Prison.

In Bloemfontein, however, the bloody cycle of domination, bloodshed and suppression that existed between Britain and the African continent was barely mentioned.

Central to that pact of silence and tacit acquiescence was the Department of Correctional Services. What was staged and presented as an exercise in accountability – the ten-month take-over of the prison – became a successful cover-up of the allegations of abuse.

On 8 October 2013, following G4S's attempt to replace the 331 dismissed workers with uncertified staff, the Department of Correctional Services put out a press statement. Notsikelelo Jolingana, the then acting National Commissioner of Correctional Services, said that there was "a worrying deterioration of safety and security at the center. The contractor has lost effective control of the facility. The contractor continues to use uncertified staff to perform custodial duties."

In terms of the Correctional Services Act, it is unlawful to employ uncertified staff. Invoking section 112 of the Act, which provides a legal basis for the state to take over a private prison if the contractor has lost control, the Department sent 246 officials to Bloemfontein to restore order and security. G4S workers were to remain at the prison, to run the food and educational programmes. DCS also put together a task team, consisting of correctional officials and medical staff, to investigate the allegations of electroshocking, forced medication with anti-psychotic drugs and other forms of abuse.

[25] Andrew Hill and Gill Plimmer: https://www.ft.com/content/a6b46fc0-4cc0-11e3-958f-00144feabdc0 (accessed on 03/03/2019)

On 25 October, two and a half weeks after DCS took control of Mangaung prison, the *Mail and Guardian*[26] and the British *Guardian*[27] ran my article on the investigation and, several days later, the BBC[28] and *Carte Blanche* both based a show on my investigation. After the exposé was published and aired, my phone rang non-stop with enquiries from international news networks and media from all corners of the world who were wishing to cover the gruesome stories abuse of imprisoned men at the hands of one of the biggest companies on earth. Video footage of Bheki Dlamini's shouting "No! I am not a donkey!" as he was being injected, travelled the world during this brief but intense media frenzy.

While this media frenzy was still in full throttle, the Minister of Correctional Services, Sbu Ndebele, made a bold statement. He told Parliament on 5 November 2013 that "the privatization of prisons has failed. In 2000, government [had] entered into a public-private partnership to construct, maintain and manage the Mangaung facility. This PPP experiment seems to be showing that the desired results are not being realized." He instructed a task team to compile a report that would be finalised in 30 days. Ndebele's astute assessment of the situation came as a surprise: I had never heard a correctional minister or official stating anything this unequivocal and damning.

Ndebele told Parliament that he was to meet with the shareholders.

Fast forward ten months: in August 2014, control of the prison was handed back to G4S without much fuss. The minister who replaced Ndebele, Michael Masutha, visited the facility and was full of praise for the "state-of-the-art prison".

The DCS-take over had started with an outraged minister who wanted to end the privatizing project and had ended with a compliant minister, who commended management as if nothing of note had transpired.

Ndebele was axed during a cabinet reshuffle that saw the entire security cluster reorganized. In 2015, Ndebele was appointed High Commissioner to Australia. His stint as an ambassador, however, was short lived. In May 2016 the government recalled him, because Ndebele had been charged with corruption that he had engaged in during his term as minister of Transport, from 2009 to 2012. He allegedly accepted R10 million in kickbacks from a private company that had been awarded a contract to carry out a government service.

By March 2017 the charges against Ndebele had been dropped, following alleged political interference and a promise by the then president, Jacob Zuma, to assist him.

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[26] Ruth Hopkins: https://mg.co.za/article/2013-10-25-00-mangaung-prison-is-a-private-hell (accessed on 03/03/2019) and Ruth Hopkins: https://www.theguardian.com/world/2013/oct/28/g4s-run-prison-south-africa-investigation (accessed on 03/03/2019)

[27] https://www.theguardian.com/world/2013/oct/28/g4s-run-prison-south-africa-investigation (accessed on 02/03/2019)

[28] Kate Forbes: https://www.bbc.com/news/world-africa-24694214 (accessed on 03/03/2019)

What some sources allege, but which I have never been able to verify, is that the shareholders of the prison were summoned to Zuma's homestead, Nkandla, where they met with the minister Ndebele and National Commissioner Zach Modise. This was the meeting with the shareholders that was announced by Ndebele in Parliament. What was discussed no one knows, but the pieces on the chessboard were rearranged after that meeting. Minister Ndebele, as well as the then acting National Commissioner of Correctional Services, Nontiskelelo Jolingana, were replaced soon after the meeting took place. Not long thereafter, Zach Modise was promoted from head of prison to National Commissioner.

The ten months that the DCS was in charge of the prison hold the answer to a lot of questions that I, to this day, still have. How was G4S able to get away with torture, forced medication, isolation and even deaths of inmates? Why didn't the department take the chance to hold a foreign company accountable and ensure that the management of that prison was transferred back to the state? Part of that answer is the stranglehold the privatization project had on governmental spending.

The Department of Correctional Services played a sinister role. It never released the report minister Ndebele had promised. A government source told me that DCS had 'lost' a 'bakkie-full of evidence' gathered by the task team, thus ensuring the report could never materialize.

I expected the department to come out hard, which Minister Ndebele initially did. ANC MPs in Parliament had opposed the privatization of prisons in preceding years, citing moral arguments on the one hand – the state should never outsource safety and security – and cost inefficiency on the other. In 2011, under pressure from Parliament, the then Minister of Correctional Services, Nosiwiwe Mapisa-Nqakula, reversed a decision to build a further four privatized prisons, which G4S had also tendered for. A 2011 article in the Daily Maverick[29] included an eerily prescient quote by the minister: "[Mapisa-Nqakula is concerned that the department has] no control over what happens. At the end of the day, you have no idea what monster we are producing from the correctional facility."

In October 2013, just after the Department had moved into Mangaung Prison, Vincent Smith, the then ANC chair of the Portfolio Committee on Correctional Services, repeated what he had put forward during the 2011 reversal of the privatization project: that the two privatized prisons in South Africa – Mangaung run by G4S and Kuthama Sinthumele, run by the American GEO Group – had cost the taxpayer R800 million in operational costs per year. A newly built (state-run) prison in Kimberly had cost the taxpayer the same amount: R800 million. In other words, so Smith reasoned, he could build another 25 prisons with that money: "Twenty-five years of

[29] Carien du Plessis: https://www.dailymaverick.co.za/article/2011-10-28-government-surprises-by-scrapping-private-prisons/ (accessed on 03/03/2019)

paying R800-million [a year]? I'm sure I can buy facilities with that amount of money if I save the money," Smith told the *Mail and Guardian*[30].

The opposition to private prisons was sparked by one of the companies vying for the tender - a South African company known as Bosasa Operations. In 2003, Bosasa was accused of bribery and corruption to the value of R2 billion involving Correctional Services tenders, as well as allegations of tender rigging. Bosasa tried to obstruct the investigation, and later, the public release of the investigative report.

In November 2018 journalists exposed Bosasa's involvement in a corruption scandal of national proportions, involving President Cyril Ramaphosa's son.

Several months later, the former Director of Bosasa, Angelo Agrizzi, blew up the toxic contract between the private prison company and the state. He spilled ALL the beans on tender corruption and kickbacks, alleging that several top level DCS officials, including Zach Modise, had been taking kickbacks from Bosasa for years.

Vincent Smith allegedly accepted R670 000 from Bosasa in kickbacks. City Press reported[31]: "Smith allegedly accepted the installation of electric fences and a high-end CCTV system at his home worth roughly R200 000, and allegedly also received R100 000 in cash from Bosasa Chief Executive Officer Gavin Watson every month."

It is my guess that it is exactly this kind of money that kept Mangaung Prison open, and that kept the company and its representatives protected from any consequences.

During the ten months of DCS rule, two games were played: one in the public eye, with DCS in the role of a responsible agent, restoring order at the prison. Backstage though, the chess pieces were rearranged, as was the name of the game. Far from prying eyes, politically-connected shareholders, the company, department officials and union representatives, navigated a way out of the mess and protected their shared interests.

Masutha replaced Ndebele, and the acting National Commissioner of Correctional Services, Nontsikelelo Jolingana, was moved to an obscure unit in the department. During these months one person rose through the ranks quite spectacularly. His son works at the prison and he is a Bloemfontein local. His name is Zacharias Modise, the temporary Head of Prison, who was promoted to National Commissioner of Correctional Services halfway through his stint in Bloemfontein. While Modise promised insiders he wanted the British company gone, he would evolve into its most staunch ally.

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[30] Andisiwe Makinana: https://mg.co.za/article/2013-11-05-parliament-concerned-about-r12bn-bill-for-private-prisons (accessed on 03/03.2019)
[31] Staff reporter: https://city-press.news24.com/News/vincent-smith-vows-to-clear-his-name-anc-says-he-is-target-of-those-against-expropriation-20180904 (accessed on 03/03/2019)

Keeping it Tight

While the department never released Ndebele's promised report, it did however publish a magazine: *Team Mangaung: Keeping it Tight.*[32] The magazine is dedicated solely to DCS' ten-month stint at the prison. It was published in a limited edition in early 2015. The glossy publication focuses on "the successes and challenges of a team of correctional officials that were deployed at Mangaung Correctional Center to re-establish the safe and secure incarceration of inmates at the Centre."

The cover of the magazine is a fold-out, three-page photograph of the operational team: dozens of men and women, some standing, others on chairs, some sitting cross legged on the ground, all clad in brown DCS uniforms, brown beanies and caps on their heads. Their coats look warm and padded. In the background the prison looms. Bursts of light radiate from the bright security lights in and around the prison, like yellow stars, their halos evenly expanding against the backdrop of an orange sky. The photograph must have been taken at either daybreak or sunset judging from the angle of the light falling on their faces. Most people in the picture are smiling. Eroll Korabie, positioned in the middle of the centerfold, has the biggest smile. In February 2014, he replaced Modise as Prison Director. Korabie is a physically imposing man, grinning widely, his cap shading the left side of his face. He looks like a mix of a friendly neighbor and a proud dad.

The pages of the magazine are filled with managerial pep talk. The intervention team, comprised of 246 correctional officials from all over the country, formed an opportunity, according to the editorial, to "take note of what can be achieved" when "one does the basics and do them right; one builds a team through quality leadership and quality management; team members allow themselves to be led by a common purpose; the organization acknowledges your contribution." The editorial closed with: "This publication is filled with good news stories."

Keeping it Tight profiles the people who were in charge of running the prison. The temporary Prison Head, Zacharia Modise, who was appointed when Section 112 was invoked, is profiled first. A full-page photograph of Modise – who was not in the group photo – in uniform, standing in front of a chain link fence, looking away from the camera, seemingly in mid-sentence, is followed by an overview of the causes and solutions to the problem. Modise is of the opinion that security was slack at the prison. "Offenders would walk to wherever they pleased." Throughout my years-long investigation into Managaung Prison I have never heard a guard or prisoner ever mention the fact that inmates could walk wherever they wanted, as the entire system of doors and locks was operated remotely from the Central Control Room. However, Modise praised the team for re-establishing order by implementing a lockdown system, where the inmates were only allowed out of their cells an hour a day, for both exercise and a shower.

[32] Department of Correctional Services (no date), *Team Mangaung: Keeping It Tight*, Pretoria.

In fact, during the entire ten months that the department ran the prison, the inmates were kept in their cells 23, sometimes 24, hours a day. Inmates were going hungry. Warders I spoke to confirmed that the prison was 'under lockdown'. It remained under lockdown until the end in August 2014, leaving behind a hugely frustrated prison population.

Modise's profile contained a list of practical recommendations. The official to inmate ratio should be brought to 1 every guard to 30 inmates, instead of the prevailing 1 to 64 ratio. The equipment should be bolted to the floor and nurses working in the hospital should be appointed on permanent contracts.

While my name doesn't pop up anywhere in the magazine, the investigation that ran in the *Mail and Guardian*, *The Guardian*, the BBC and *Carte Blanche*, referenced as the 'media exposé', is constantly mentioned as a factor in DCS's decision to investigate the allegations and take over the prison.

Under the heading 'Official investigated medical malpractice', Masilo Moshoeshoe is introduced. Moshoeshoe, a nurse working at Wepener prison, joined the team end of October "under the primary instruction to investigate medically-related allegations." A picture of a laughing Moshoeshoe accompanied the article. There is a lapel microphone strapped to his shirt and he is looking to the side of the camera. He seems to be in mid-laugh, baring his teeth, his eyes narrowed, cheeks bulging. The photo caption reads: 'Masilo Moshoeshoe has become an ace investigator'. What followed is a rather mundane list of Moshoeshoe's achievements: he encouraged medical staff to hold meetings, called out nurses who were moonlighting on the side, he helped an offender with an oozing head wound and helped another offender with an infected catheter wound. Then, out of the blue, this paragraph pops up: "A peculiar situation existed at the mental health clinic, which was staffed by a psychiatrist and a psychologist. The rate of administering anti-psychotic drugs at the clinic seemed odd and this matter was also investigated." This rather disconcerting and cryptic information was followed by more pep talk: "Good management is the art of making solutions so constructive that everyone wants to get to work and deal with them."

The next article dealt with director Errol Korabie, who called a *scumba* (a Zulu word for gathering) every morning around 7am. There he would ask the gathered officials "How do we keep it?", to which the guards would respond: "We keep it tight!". A picture of DCS officials, batons attached to their waists, one of them bizarrely holding an orange in one hand and an apple in the other, was placed next to the profile of Korabie.

Heinrich Veloen, an EST member who was put in charge of the notorious isolation unit, is profiled next. 'Broadway is no stage for shows', the headline reads. Veloen's expertise lies in infiltrating gangs. Because Mangaung is a maximum-security prison, the inmates serve life or very lengthy sentences. Because they have nothing to lose, this bleak future provides a rich feeding ground for gang proliferation in the prison. Veloen, so the author writes, capitalises on this hopelessness by cozying up to the prisoners with questions

like "what is important to them?" The incarcerated men often end up confiding to him about family matters. "When Veloen is perceived as helpful by offenders, the ground has been laid for getting information and about gang activities."

I wonder if Veloen, a man who in the photo has a pepper spray strapped to his chest, had had a chat with Tebogo Meje. Tebogo claims to have been incarcerated in Broadway for six weeks by DCS, much longer that legally permitted time for segregation, which is the legal term for isolation.

I met Tebogo one dry hot summer's day in the Bloemfontein Plaza Mall in the bustling downtown area. We sat down in a greasy snack bar, with used coffee cups and chicken bones strewn across the table. A pretty young girl, who looked to be in her early twenties, accompanied Tebogo. She sat at the table next to us and stared at me with a bored, vacant look. After introductions, Tebogo grabbed my phone and told me to put it in my bag, while scanning the comings and goings in the place. "It's not safe," he said. Tebogo is a handsome man, with a soft gentle face, a naughty glint in his eyes and always a pair of squeaky-clean sneakers on his feet and trendy sun glasses perched on his head.

He wrote the Wits Justice Project a letter in August 2013, detailing his struggle to complete a course in Information Technology at Unisa. He had paid the fee and registered yet was not provided with internet access inside Mangaung Prison, which made remote learning impossible. When he protested, the company placed him in Broadway, classifying him as 'high risk', a semantic trick G4S employed to avoid the restrictions around the legal timeframe of isolation.

Tebogo had ended up in the Bloemfontein Prison following an arrest for an armed robbery and murder in Thaba Nchu in 2007. He was sent to Mangaung after a judge sentenced him to 15 years in 2008. He was acquitted of the crime after he appealed in 2014.

When the *Keeping it Tight* team arrived, Tebogo sighed a breath of relief. Now at least the Ninjas would be kept in check, he thought. But the reverse was true. On 17 December 2013, DCS members of the emergency security team dragged him out of his cell in Buckley Hall. There were riots in the prison, with inmates protesting the lockdown regime. A warder was stabbed and the EST had found handmade weapons in his cellblock. They took him and his cellmate to the office of the unit manager, where there are no cameras.

"When we arrived there, they took off my shirt and my trousers. I was only left with my underwear," Tebogo said. DCS men crowded around him. "Then they handcuffed my hands behind my back. They were using this language of '*sak*!' and '*chaf op*!' They made me lie on my stomach, poured water on me and then electroshocked me and kicked me."

"There were ten DCS warders present in the room when my cellmate and I were electroshocked and kicked," Tebogo said. "I saw their DCS badges. They shouted at us: "Now you must confess" and "Tell us what happened". They nearly broke my knee. It was as if the DCS guys were trying to teach the G4S Ninjas how it should be done."

Tebogo reached under the table to produce something I had seen countless times before. He put a weathered plastic bag on the table and started emptying the contents on the grubby table.

"Here, this is my J88 form," he said. "And this, the eyewitness statement. A letter to the prosecutor."

Although I've seen many inmates with plastic bags stuffed with every grimy scrap of paper they ever received, Tebogo's bag was different. He produced an ordered file of papers. Unlike most inmates, Tebogo knew his rights. He knew he had to see a doctor to document the bruises, abrasions and other injuries before they disappeared. He also knew that an eyewitness statement would help his case. Somehow, he managed to circumvent the dead-end request and complaints system in the prison, and he contacted the police. An officer visited the prison a few days later. The warder who had assaulted Tebogo and his cellmate though, met the officer at the entrance and walked him to the cellmate, who took one look at the warder and refused to make a statement. The police officer then visited the prison hospital where the doctor on duty said he knew nothing about a J88 form.

When Tebogo, who had always maintained his innocence, was acquitted in May 2014, he was free to pursue the case outside the prison walls. Tebogo was determined. He phoned the police officer who had been put in charge of his case nearly daily. The police officer made several trips to the prison and eventually obtained the J88 form. The prosecutor at the Bloemfontein court though, took one look at his case and dismissed it, citing a 'lack of evidence'. I phoned the prosecutor and explained that the warder accused of assaulting Tebogo and his cellmate had accompanied the officer sent to interview the eyewitness, but that the cellmate was still willing to sign an eyewitness affidavit. She would hear nothing of it. The J88 form detailing bruises, swelling and lacerations to his head, mouth and legs also didn't suffice. And this is how Tebogo's case ended up on the pile of assault, torture and death cases at Mangaung Prison that never reached court.

The Department deprived all Mangaung inmates of their privileges during their 10-month take-over, locking them up for most of the day, only allowing them out of the cell for a quick shower and food. Troublemakers were transferred to Kokstad Prison, and any remaining 'muckrakers', like Tebogo, were disciplined with brute force.

I became interested in the man in charge of this operation, Zacharia Modise. The company had remained relatively impassive after I uncovered the abuse.

They meekly threatened legal action once, but never took any steps. Modise, and the department he led, were on the other hand, not as unresponsive. Once I started digging into Modise's past, I caught a glimpse of the game played behind closed doors. The man who had once promised to "root out all whistleblowers" in the department, felt it was time to have a go at me.

And that was a familiar feeling. But by this time, I had taken up boxing.

14.

Zach - 'No Blood on the Ground' - Modise

The murder trial of Paralympian athlete Oscar Pistorius was at times Shakespearean. The heartthrob world champion had murdered his beautiful girlfriend, Reeva Steenkamp, on the Day of Love: 14 February 2013. It had all the ingredients of high drama. The tragedy of that day continued in the courtroom: cameras captured a choking and vomiting Pistorius, and the icy mask that was Reeva Steenkamp's mother's face. Barry Roux, Pistorius's defence lawyer and Gerrie Nel, the prosecutor, circled each other like pugnacious dogs. The world was obsessed with this tale of woe. Commercial broadcaster ENCA started a Pistorius channel. All the big international networks – CNN, Al Jazeera, BBC and Sky News – practically lived in and around the court in Pretoria.

This extraordinary legal and emotional spectacle threw South Africa's criminal justice system into the limelight. Everything was analysed; the forensic investigation, the police work, constitutional experts picked apart legal principles and the press placed it all under a microscope. Experts were called on to explain the nuances of criminal procedure. The state of the country's prisons – previously a non-issue – was hotly debated.

At the Wits Justice Project we took the opportunity the trial provided to explain in radio and TV interviews that there were thousands of people in South African courtrooms and prisons who could not afford what Pistorius could: adequate legal representation. My colleague Carolyn Raphaely wrote[33] about inmate Ronnie Fakude. He was "a nappy-wearing, wheelchair-bound paraplegic", who had been awaiting his trial for a staggering 28 months. He did not receive the same attention or care as the Department promised Oscar. His body was covered in sores and he sometimes had to get around the prison without a wheelchair: he was "forced to drag himself daily to the kitchen on crutches", "pulling his legs and throwing them to the front."

In South Africa there was justice for the poor and justice for the rich and famous.

After Pistorius's conviction of culpable homicide, Zach Modise, the acting National Commissioner of Correctional Services who had just finished his term as Temporary Head of Mangaung Prison, testified. He spoke about South African prison conditions during Pistorius's sentencing hearing. I followed his testimony closely on an online, live stream from the courtroom.

Nel, the prosecutor, asked him to explain the state of prisons and prisoners in the country. Modise spoke about the 243 prisons and the prison population. He claimed South Africa had the best jails on the continent.

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[33] Carolyn Raphaely: https://www.dailymaverick.co.za/article/2014-04-28-inequality-before-the-law-oscar-pistorius-vs-ronnie-fakude/ (accessed on 03/03/2019)

On the stand Modise was every bit the bureaucrat he was on paper. The two interviews with Modise I managed to track down, in internal DCS newsletters, were filled with wall-to-wall management jargon. His personal motto, mentioned in one of the interviews, reflected the down-to-earth bureaucracy he favoured: "Exemplary leadership, focus on work, being on time and in uniform". At the Pistorius trial, he spoke in short jabs and explained the details of the "complaints and request forms for prisoners". He summed up all the courses one could do in prison, he spoke about the "humane treatment of offenders", "sentence planning". Everything he said was uttered in the same intonation with barely any emotion registering on his face. He wasn't wearing his uniform and had opted for a casual look - a dark green suit and white shirt and no tie. His eyes were slits behind thick glasses. He spoke confidently, not faltering or pausing.

When Nel was finished, Barry Roux, Pistorius' defence lawyer, took over. He asked Modise about a hearing of the parliamentary Portfolio Committee on Correctional Services that had taken place the day before. Modise's answer was bizarre.

Roux, reading from a newspaper article about the portfolio committee: "Let me read it to you: 'The DCS has come under fire in Parliament for the increase in torture cases'".
Roux: "There were NGOs present at Parliament?"
Modise: "There were a lot of them, NICRO, Just Detention Forum, Wits Justice Project, Sonke."
Roux: "Basically good people?"
Modise: "(...) it depends."
Roux: "Who of them are not good?"
Modise: "There are these NGOs who operate in our environment, they come and do research and without verifying their findings. That is why I'm saying it depends who the NGO is. NICRO is well-known, excellent partner for DCS. WJP, no (...), WJP is being led by two journalists, who are writing articles for the *Mail and Guardian*, one of them being Ruth Hopkins. Their objective (...), is to write anything that is negative that they have sourced by themselves. For instance, (...), what happens is, they make the point that they provide two officials that are unscrupulous of the department to take pictures of scenes in a centre and also provide that to offenders. So you'll find from time to time you will find articles in the media space about Correctional Services that have not been verified, but that have been taken at a particular time so as to depict DCS in a negative light."
Roux: "But NGOs told MPs about a serious complaint about torture of inmates by prison officials?"
Modise: "(...) that was the allegation that was received yesterday by ourselves and the portfolio committee."

In the office, every single member of our small team was tethered to their computers with headphones on, as Modise spoke at length on the state of prisons - our area of work. As Modise slandered our methods and basically accused us of unethical journalism, I heard cries coming from the other

offices. When he was finished, we ran outside and started yelling at each other in the corridor.

"What did he actually say!?!!"

"This is bullshit!"

"For fuck's sake!"

"Uncorroborated??!!?"

"Unscrupulous?!!?"

"What the....?"

We all talked and shouted over each other. My colleagues Nooshin Erfani-Ghadimi, who ran the project, and Robyn Leslie, our legal researcher, had attended the session of the Parliamentary Portfolio Committee on Correctional Services which Modise had referred to. They had asked him why the DCS investigation report into Mangaung Prison still hadn't materialised, roughly a year after Minister Ndebele promised to publish it. "Mr Zacharia Modise, DCS Acting Commissioner, replied that the investigations had been concluded except for the report from the operating contractor against whom the allegations were made. Once the report has been received and brought into context with the allegations made, the DCS would then be in the position to submit its findings to JICS," the parliamentary minutes read.

When my colleagues asked Modise to commit to a timeline, he asked to reply to that question the next day, which he never did.

A brief media frenzy followed Modise's unfounded allegations against the Wits Justice Project during the Pistorius trial. I was invited to explain his peculiar outburst on the Pistorius channel and various radio stations. Pistorius's legal team made several attempts to rope us into their line of defence. We politely declined.

When the frenzy had died down, I was still struggling to understand why Modise had chosen that platform to make this statement. The mention of 'two unscrupulous officials who had provided pictures', was an obvious reference to Dan and other sources who had smuggled videos and pictures out of Mangaung Prison.

I started looking into Modise's profile and past. One thing that became clear instantly was that he did not like whistleblowers. And as I continued to dig into his past, Modise gave me a taste of how he treated muckrakers.

Moleko Zacharia Isaac Modise was a disciplined soldier. He joined the Department of Correctional Services in 1979, at the age of 22 and left when he

retired end of 2017. He did his basic training in Klerksdorp, and then served at prisons in Gauteng and later in the Free State: Grootvlei in Bloemfontein and nine years at a prison in Boschhof, his hometown. In 1994, when the new dispensation was still fresh, Modise was appointed "Senior Official in External and Internal Custody" at Kimberly Prison. Briefly he was the Inspector of Prisons at Head Office, after which he was sent back to Kimberly.

In 1997, he got his first career break. He was promoted to the level of Director, when he was appointed as the Regional Commissioner of the Northern Cape and Free State. He then worked as the Regional Commissioner in the Eastern Cape. Modise was also called upon to trouble shoot. When widespread corruption and "inhumane treatment of offenders" was exposed in South African prisons in 2001, Modise was instructed to address it in the Gauteng province.

The first few years of the new millennium were explosive for Correctional Services. In 2000, the Director General of the Department informed Parliament that DCS had effectively lost control of the prisons in the country. The minutes of the parliamentary session on 13 April 2000[34] mentioned a 'culture of malice': "It was stated that the problems facing the prison systems were a result of corruption that had occurred over a number of years, without any measures being taken to address them. The problems were exacerbated by the fact that there was a high level of harassment and intimidation towards members of the Department and prison staff that attempted to report any wrong doings."

In 2001, President Thabo Mbeki appointed High Court Judge Thabane Jali to head a commission to look into prison corruption and maladministration, which he believed had caused the acute national prisons crisis. The commission held hearings throughout the country, scrutinising multiple instances of serious corruption and maladministration. Modise was authorised to represent the Northern Cape, Eastern Cape and the Free State during the hearings.

One of the underlying causes of the prison crisis, so many argued, was Operation Quiet Storm, a disputed labour union strategy designed by POPCRU that aimed to unseat prison managers who were not considered progressive, and ultimately to make prisons ungovernable.

"POPCRU members would engage management in long meetings, or prisons would be stormed and taken by force. Unfavoured managers would be physically removed from their offices."[35]

Modise testified before the Jali Comission that his office in Gauteng was also stormed during Operation Quiet Storm, and he was taken hostage by a disgruntled official. I wonder if this was maybe the moment where his dislike of whistle-blowers began.

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[34] https://pmg.org.za/committee-meeting/4006/ (accessed on 03/03/2019)
[35] staff reporter: https://www.news24.com/SouthAfrica/News/Union-initiative-linked-to-prison-corruption-20020731

A Sunday Times article claimed Modise was recorded vowing to 'root out' whistle-blowers from the department[36]. The final Jali Report also contains evidence of Modise's dislike of 'hard-to-please shop stewards'. "The emergence of the labour movements and the fact that outspoken and hard-to-please shop stewards were appointed into senior positions brought about the misconception that one must fight management to be promoted," he said before the Commission.

DCS whistleblower, Tatolo Setlai, was repeatedly removed rather than heard. In 2001, when he was the Prison Director at Grootvlei Prison, he had allowed inmates to take cameras inside. They documented guards taking bribes, the presence of guns in the prisons and evidence of assaults on prisoners. The footage was extensively debated during the Jali Commission hearings. Modise filed charges against Setlai with the police, claiming Setlai had intentionally incited inmates to riot. Setlai was dragged before the courts on 14 counts of corruption, but the investigation was later dropped.

From 2003 to 2010, Modise was DCS's Regional Commissioner in the Free State. In that capacity, he had oversight responsibility for Mangaung Prison. His foe, Tatolo Setlai, who was DCS controller at Mangaung Prison in 2008 and 2009, was sending Modise's office fax after fax about irregularities in the prison. When his attempts to expose irregularities fell on deaf ears, Setlai blew his whistle on the unlawful isolation of inmates at Mangaung Prison even harder and he sent the report to Head Office. Modise again ordered an investigation into Setlai's conduct, accusing him of inciting the prisoners to riot. When the investigation cleared him, Modise transferred Setlai from Mangaung to another position in DCS. He swept the report detailing the illegal isolation back under the carpet.

In 2008, during his term as Regional Commissioner for the Free State, Modise was suspended for six months for maladministration and malpractice, following several complaints against him. On the charge sheet that was part of the internal disciplinary process against him, Modise is accused of seven instances of nepotism, while he was stationed in Bloemfontein, which was, coincidentally, also where he lived. He had irregularly removed and appointed people to various positions, ranging from the post of Deputy Director to Regional Coordinator and Manager Spiritual Care.

In a leaked email that Modise wrote about the disciplinary procedure against him his distaste for the whistleblowers who had ratted on him was palpable: "I have registered with my attorney a request that action be taken against (...) the Minister for (...) labeling me as corrupt and degrading my reputation. This would also include action against Mr. T.A. Setlai and the National Commissioner (...)."

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[36] Andre Jurgens: https://www.timeslive.co.za/news/south-africa/2014-03-31-graftbuster-punished/

Modise was suspended for six months, but, in the grand scheme of things, this was really just a little hiccup in his career path.

A stint at Head Office and another one as Regional Commissioner of Gauteng preceded his appointment as temporary Head of Mangaung Prison in 2013. By that time he had worked for the DCS for close to 40 years. He was a die-hard who had worked his way up from the trenches; he understood the stress and pressure of officials who worked in prisons, he had walked in their boots. His name came up when candidates for the post of National Commissioner were discussed.

I wonder if his appointment as temporary head of prison came as a disappointment to careerist Modise. In terms of the internal DCS hierarchy, he had been demoted from the level of Regional Commissioner to that of Prison Director, he went from overseeing a large geographical area, to running one prison. But who knows what was really going on. The stint at Mangaung turned out to be his springboard to the highest attainable post for a correctional services careerist: he was appointed acting National Commissioner of Correctional Services, which was later confirmed as a permanent position. His appointment was well received in DCS circles, warders were pleased that Modise had a correctional services background. In a Facebook group for prison guards called Prison Matters, correctional officials sang his praise, post after post. Finally there was a man in charge who would deal with their issues and protect their interests.

Several DCS officials who worked at Mangaung Prison during the ten months that the department took control of the prison, from October 2013 to August. 2014, spoke to me anonymously. They did so because they feared losing their jobs, and other repercussions.

Modise's leadership during the five months that he headed the prison, from October 2013 to February 2014, when he was appointed acting National Commissioner for Correctional Services, received mixed reviews. Some said his tactics were Machiavellian and accused him of nepotism and corruption. Tumi Modise, Zach Modise's son, worked at the prison and some viewed this as a conflict of interest.

Another source said he was "the last person to get into self-enrichment. Can't put my head on a block, but Modise is not that kind of guy."

The information I managed to uncover on Modise's stint at Mangaung Prison and his subsequent career progression, point to a man with a hierarchical, military approach to correctional work. He provided no space for revolt, with inmates locked up in their cells most of the time, guarded by a trigger-happy EST team.

Modise took several decisions immediately after his appointment. Firstly, he ordered dozens of inmates to be transferred to Kokstad Prison, the country's

only "supermax" prison in KZN, which consists entirely of single cells. I tracked down six inmates who had been transferred from Mangaung to Kokstad shortly after DCS's arrival. Lawyers from the Centre for Applied Legal Studies (CALS) at Wits visited the prisoners and, with the inmates' consent, shared their interview notes with me.

The men sounded bewildered. Reasons for their sudden transfer had not been provided. One of the prisoners, an older man in his sixties with high blood pressure, Mduduzi Felepe, had only arrived at Mangaung prison a day or two before he was transferred to Kokstad. The lawyers wrote: "He was never told why he was transferred but did not ask because "they will beat you". Felepe appeared very nervous and indicated that "I just keep quiet in my cell. I don't want trouble". Most inmates said they had been beaten and electroshocked by the DCS riot team before they were pushed into vans that transported them to the supermax prison. The men stood accused of starting riots and taking hostages but they denied ever having been involved in any such activities.

Modise also implemented a 'lockdown' regime throughout the prison, which meant the inmates were inside their cells usually 23 and sometimes 24 hours a day. Educational and vocational programmes were suspended, as was work, exercise and religious practice. It led to widespread discontent among inmates.

The approximately 250 men and women who were part of the DCS team that was supposed to run Mangaung Prison were expected to hit the ground running. "No blood on the ground," Modise instructed the guards who went into the prison streets. "No blood on the ground."

According to all my sources, Modise was initially eager to hold the British multinational accountable. Dan told me he was called into several meetings with Modise and his task team, a multidisciplinary team that was supposed to investigate the allegations of wrongdoings mentioned in my exposé in the Mail and Guardian of the prison. During these meetings Modise assured the gathered officials that they would nail G4S.

I met with one of them, an official who had for years worked closely with Modise.

"They were racists," this person said of the G4S managers they had to deal with.
"And they were extremely arrogant. They spoke down to him. Modise hated them."

The task team got to work tracking down inmates and gathering evidence. I started hearing rumours about the competing views of high-level DCS officials on how to run Mangaung. "There are basically two camps: those DCS people who want to take over the prison and others who want G4S in charge,"

Dan told me. To begin with Modise was seemingly part of the first group but over time, moved into the other group.

The department had reinforced the controllers' office at Mangaung with extra staff. Solomon Tladi now ran the office with four directors reporting directly to him. The previous controller, Clement Motsapi, who had not notified the department of any irregularities during his eight years at the prison, was suspended - a decision he fought in court and lost, after which he was dismissed. "The controllers' office begged us to terminate the contract," one of my sources, who was responsible for the investigation, told me. Rumours of the termination of the contract sang around the prison. Many of the G4S employees thought they would be better treated as a DCS guard, so they supported a DCS-run facility. The controllers' office started issuing warnings regularly, building a case to terminate the contract based on non-performance.

According to inmate Thembekile Sane Buso, this conflict was played out over the backs of prisoners. Buso drafted an affidavit that a guard working at the prison smuggled out and gave to me. In the affidavit Buso wrote that on 10 July 2014, Erroll Korabie, who had been appointed Prison Head after Modise left in February that same year, visited Saint Albans Maximum Security Prison in Port Elizabeth. Saint Albans is a notorious prison, rife with gang violence and with an established record of torturing inmates.

"Director Korabie had addressed us that he had came (*sic.*) from Mangaung Prison, which was currently administered by him and EST. He had realized that through our resistance we can stand ground to face tough challenges," Buso wrote. "He informed us [gathered gang leaders] that his department wanted to take over the centre from G4S but there are business politicians with big influence who stood in a way of them." Korabie then confided in the gang leaders that he was transferring them - inmates with known disciplinary records - to Mangaung Prison "in order to affect a timeous collapsing of the security control in Mangaung Prison, as soon as he and his ETS team hand over the centre back to G4S."

In the early hours of 11 July, Buso wrote, they were shuttled into DCS bakkies and driven to Grootvlei, and after three days were booked into Mangaung Prison next door. When they arrived, so Buso claimed, the EST men welcomed them as 'heroes'. He wrote that the gang leaders met with other senior DCS officials who all confirmed this plan to return Mangaung Prison to the state, after DCS had pulled out.

"I believe we have been set up as a sacrifice in the process of getting this prison. People will die here and others get really hurt in this situation."

Buso signed a second affidavit on 30 October 2015, this time with 29 other inmates incarcerated at Mangaung prison. Their collective statement – "*Notice of Demand for Access to Information*", listed the Minister of Justice and the G4S Prison Director as first and second respondents. It contained an impressive list of requests for documents, and requests for clarification on decisions made, and the name of every subcontractor, service provider and

supplier who had worked with the prison. The names and business registration of every shareholder, all inmates' medical files, copies of all their complaints. The list went on and on. One point dealt with the alleged recruitment at St Albans Prison:

"What motivated the 1st Respondent [the Minister of Justice] to send the then (..)head of Mangaung Correctional Centre to St. Albany (sic.) to recruit, select and/or to conscript violent prison gangs with explicitly and implicitly instigatory instructions to cause mayhem in Mangaung Correctional Centre as soon as the 1st Respondent's Emergency Security Team and its officials leave it, when G4S returned it to normal operation?"

If the allegations were true, DCS was playing a very dangerous game, 'importing' gang leaders to cause chaos.

"None of the DCS officials working at the prison had been trained in compliance with the prison contract," one of my sources told me. Most officials had no idea what the 2300 page contract between the Bloemfontein Correctional Contracts (BCC) – the shareholders to the prison contract – and the state contained.

The contract provides for an oversight committee that is supposed to report to DCS on contractual breaches. The department had appointed an advocate to represent DCS on the committee. Since its inception the committee had imposed very minor fines on the company and had turned a blind eye to reports of violence, stabbings, assaults and 'fake suicides'. "The decisions of that body were shocking, most decisions were in favour of G4S," the DCS source said.

Early in 2014 the task team had collected 'boxes of evidence' on the abuse at the prison. The National Commissioner, Jolingana, appointed a law firm to write up the report.

In June 2014, DCS issued the lawyers' report: a 'Preliminary Investigation Findings Report'. The shareholders, Bloemfontein Correctional Contracts (BCC), compiled a response to the report. I have BCC's response to the report, but not the underlying DCS report because that has still, at the time of writing, not been released. In the report DCS had flagged evidence of unauthorized use of force, unlawful segregation of inmates, unnecessary use of violence and forced injections with anti-psychotic drugs, mostly based on the findings in my investigation. The shareholders, as the responsible legal entity at the prison, had responded with explanations of the use of medication, use of force and various other issues. They mostly denied any responsibility.

From the end of 2014 the investigation stalled indefinitely. The evidence the investigation team had gathered – described as 'boxes' or a 'bakkie-full' of evidence – went 'missing'.

The people involved in the investigation differ on why the investigation was never published.

"Modise didn't want the report to embarrass the department, that is why it was never published," one person claimed.

"Zach wanted G4S out, but he never said a bad thing about BCC," another said. The same person observed: "He cares about officials, not inmates. He has certain loyalties and he doesn't forget or forgive."

Some claimed the reason he didn't release the report was more sinister.

By February 2014, Modise had left Bloemfontein and moved to Pretoria. He had been appointed acting National Commissioner of Correctional Services, a career move.

Why had Modise started an investigation and then obstructed its realisation? Why did he even bother in the first place? The lawyers from the Center of Applied Legal Studies (CALS) at Wits University started an application before the courts, requesting access to the report under the Promotion of Access to Information Act (PAIA). The department has continued to obstruct the release of this report before the courts.

A few days before DCS sent the interim report to the shareholders, Modise phoned Papi Mokoena, the chair of BCC. Mokoena updated his fellow shareholders of that phone call in a group email at the end of June 2014. The report was leaked to me. Mokoena wrote that Modise had promised him that the prison would be returned to BCC/G4S by end of July 2014. In another email exchange a meeting between Modise and the Prison Director, Johan Theron, was referenced, in which they had discussed the return of the prison to G4S.

In other words, Modise suppressed the release of the report while assuring the company and its shareholders that control of the prison would be returned to them. G4S mentioned this decision in a leaked presentation to potential investors. In June 2014, while DCS was still on charge at Mangaung Prison, the company claimed: "We have been informally told that the DCS investigation found no evidence to support the allegations in the media and has cleared G4S."

Early 2015, shortly after G4S was again running Mangaung Prison, I received a phone call from Britta Rotmann, who was at the time head of Legal Services at DCS. I had met with her before in a Johannesburg hotel to discuss my investigation.

I met her in the boardroom at the journalism department at Wits University. One side of the boardroom is a glass façade. Stuck onto the glass are the names of illustrious South African journalists, who have paved the way before

us, from Henry Nxumalo to Bloke Modisane to Ruth First, and many others. Rotmann was wearing her beige DCS uniform.

"I've been sent today by Zach," she told me. I sat up in my chair. I had been surprised by her call. She had wanted to come see me at my office. It was usually the other way around.

"To tell you to stop talking to Clement Motsapi," she added.

For eight years, Motsapi had been the DCS controller at the prison and in that capacity he had failed to inform the department of anything resembling the allegations contained in my investigation. As a result, when the task team was appointed, he was suspended and later dismissed.

"I can't confirm or deny I'm speaking to Motsapi," I said to her, my brain somersaulting in an attempt to wrap my head around what I had just heard.

"I find it strange that you would instruct a journalist not to speak with a source," I said.

"He is not to be trusted and you should know that."

"Who told you I was speaking to Motsapi?"

"Ah, you know Mangaung Prison, it's a rumour mill," she said.

I quickly ended the conversation, my head spinning. Why had Modise officially dispatched Rotmann, a senior DCS official, to my office to tell me to stop talking to a source? Rotmann was her usual polite self, she didn't see anything wrong with her visit.

Modise's next attempt to frustrate my investigation was even more troubling.

In February 2015, shortly after the prison had been handed back to G4S, I met with Setlai and another DCS official in Bloemfontein. Setlai had an axe to grind with Modise. Throughout his career Modise had repeatedly reported Setlai to the police, accusing him of inciting inmates to riot, when Setlai, so he claimed, was blowing the whistle on prison corruption. He now had some interesting information, he promised over the phone. He wanted to talk. On the record, this time.

Retirement had added a few pounds to the already overweight Setlai. We met at an upmarket roadside restaurant on the N1 leading out of Bloemfontein. He reclined in his chair, jutting out his massive stomach. He was dressed for the golf course: a polo shirt, khaki men's shorts, white tennis shoes. We spoke about the DCS take over.

Setlai had agreed to go on the record with me after his retirement. He had one other condition: the right to read and comment on the text of the article before it went to print. Although I generally tried to avoid this kind of negotiated interference with my writing, I consented this time. What I hadn't quite realized, though, was how old school *Ntate* Setlai would be in terms of communication.

I emailed him the text of the article. He then went to an internet shop, printed out the attachment and drove to a friend who wrote out his comments to my article on his laptop. Setlai did not privately own a computer or laptop. He printed out the file, which was titled 'Amendmend' and faxed it to the journalism department at Wits University. I read the fax and made some minor amendments to the article.

Several days after I received the fax, Logan Maistry, DCS's spokesperson, sent me the following email: "Our sources have provided us with a copy of the article, regarding the said matter, that you intend to publish, which we have perused. We have also perused the comments made by Mr. Setlai, entitled "AMENDMEND," where you afforded Mr. Setlai an opportunity to comment on the article you intend to publish. Based on this modus operandi, it is clear that you, and your sources, have a certain agenda, and have already taken a subjective stance, and made up your mind/s, on this matter. It is also clear that your request for comment from DCS is merely a formality for the record." He refused to answer any questions.

This email sent us, at the Wits Justice Project, into another tailspin. It was the second time the department had tried to interfere with my meeting with a DSC source. How had the department found out I was meeting with Setlai? Had they followed me? Had Setlai told them? Had they bugged our offices? All these questions were buzzing through my head. I knew Maistry had the fax, as he had repeated the misspelled title: Amendmend.

Briefly, everything and everyone at the office seemed suspicious. When a colleague mentioned two strange men entering the server room at Wits, my paranoia kicked in. I had locks changed and I poured over CCTV footage, but the two strange men were never identified.

All of this didn't stop the article I was working on getting published, both in the UK and South Africa. It detailed the many ways in which DCS had done nothing to actually hold G4S accountable, following credible evidence of very serious abuse.

The legal department of Wits University sent the Department of Correctional Services a letter, demanding they 'cease and desist' intercepting Ruth Hopkins' communication. We had our offices swept for bugging devices. The sweep didn't reveal any hacking or bugging. Most likely, a person had intercepted my communication and handed it to DCS.

The audacity of the department, to intercept my communication with a source and then confront me with it as if there was not a worry in the world, unsettled

me, but it also spurred me on and energized me. Part of that was the old – and possibly mildly simplistic – knee jerk journalistic reaction: if officials hate your guts, you're doing something right.

When I still didn't back off after the interception, Modise took it to another level. He filed a complaint against me with the press ombudsman.

Logan Maistry, one of Modise's trusted spokespersons, wrote the rambling complaint.

"Intentional and negligent departure from the facts," was how DCS described my writing. This rather broad complaint was then subdivided into paragraphs that picked apart the article I had written about two dead prisoners: Isaac Nelani and Tebogo Bereng[37]. The department was most disconcerted about the omission of information that was part of their three-page response to my questions, which I had mostly distilled into several sentences, as any sane journalist would do.

In the press complaint the department argued that I hadn't included several paragraphs of their lengthy response in the article. They mainly wanted me to include more information on why the department, in May 2015, still couldn't produce the DCS investigation report. The ombudsman ruled that the complaint was unfounded.

And that came as no surprise, because Isaac Nelani's death in the dark room had been on my radar since the day I started the investigation into Magaung Prison. His story was of such extraordinary weight, I felt I couldn't publish the results alongside the stories of electroshocking and forced medication without more supporting evidence. Two years after the first exposé, however, I received the post mortem that mentioned his bruised heart. With this kind of evidence, I could finally write the story on Mangaung's many suspicious deaths.

And it was the story of Isaac Nelani and Tebogo Bereng's suspicious deaths, published in the South African *Mail and Guardian* and the UK *Daily Telegraph* that the department complained about to the Press Council.

The department couldn't have selected a more well-researched story with which to slap me with the first press complaint in my career. I had worked on this story for three years.

Although Modise lost the battle to shut me up, I was not victorious. The departmental investigation report was nowhere to be seen, evidence was going

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[37] Ruth Hopkins: https://mg.co.za/article/2015-09-03-prison-inmate-tortured-to-death and Ruth Hopkins: https://www.telegraph.co.uk/news/worldnews/africaandindianocean/southafrica/11847153/G4S-accused-of-torturing-inmates-to-death-in-South-Africa.html (accessed on 03/03/2019)

missing by the 'bakkie-full'. G4S had taken control of the prison again and all had seemingly gone back to 'normal'.

Modise's attempts to shut me up and obstruct my investigation had baffled me. He seemingly had a beef with me personally. He had sent a DCS official to my office to tell me to stop talking to sources, he had intercepted my communication, slandered me during the Pistorius trial and he had filed a press complaint against me.

So when details emerged in the media about his involvement in tender corruption and collusion, I began to realise he had a lot to hide.

In 2017, Modise's bid to have his term in office extended beyond his retirement age was scuppered when he was called to explain the department's irregular expenditure before the Standing Committee on Public Accounts (SCOPA)[38]. Modise stood accused of colluding with a company called SASSTEC. DCS officials had allegedly worked with the company to draw up favourable contract specifications worth R378 million. Fence and Gates, one of SASSTEC's companies, also hold contracts with Mangaung Prison. An official working for the company had alerted SCOPA: "(...) the Committee closely questioned Commissioner Modise - which at times became heated - to explain why his car was parked outside the house of the director of a company that does business worth R2bn with the Department and whether he has a personal relationship with SASSTEC directors." The MPs queried Modise, who did not provide any satisfactory answers. Modise had previously defied Treasury, who had ordered him to cancel the contract with SASSTEC, because the tender process was so irregular. Mr Brauteseth, an MP with the Democratic Alliance, accused Modise of "flagrant corruption."

Two weeks later, Mr Modise's retirement was announced.

In 2018, a commission chaired by Judge Raymond Zondo was set up to investigate state capture. Emerging testimony shook the country when Angelo Agrizzi, former director of Bosasa - a South African private prisons company currently known as African Global Operations - testified.

"Agrizzi testified how Linda Mti, Zach Modise, Khulekani Sithole and former Correctional Services Chief Financial Officer Patrick Gillingham allegedly benefited unduly from either cash or cars, travel and accommodation, sponsorships for their children's studies or in one case, a matric dance, the arrangement of concession for a relative's stay at a retirement village as well as security and maintenance and repairs at their homes."[39]

The DCS official tasked with legal oversight over public/private prison contracts, including Mangaung Prison, Josiah Maako, received R15 000 a

[38] https://pmg.org.za/committee-meeting/24627/
[39] Jessica Bezuidenhout: https://www.dailymaverick.co.za/article/2019-01-22-bosasa-inc-more-songs-about-bribes-cooked-tenders-and-major-cover-ups/

month, Agrizzi claimed. Agrizzi further asserted that Modise received R1 million in kickbacks over the years, between R10 000 and R20 000 a month.

Then, in February 2019, I received further information that explained why Modise was so unsettled by my digging into Mangaung Prison. One day, out of the blue, Setlai phoned me. An article I had written about G4S's links to president Zuma and the Guptas, had just been published. He told me he had read the article and he wanted to let me know that he had reported Modise to the police in 2015. Setlai had reported the then National Commissioner alongside several other senior DCS officials who worked on the DCS investigation into Mangaung Prison, because they had unlawfully enriched themselves during their stint at the G4S prison.

The department had allocated R120 million for the DCS operation at Mangaung Prison. Elias Jacobs, a DCS official working at Grootvlei, the prison adjacent to Mangaung Prison, had alerted Setlai. Jacobs worked at the HR department at Grootvlei Prison and he had noticed an overwhelming number of irregularities relating to Mangaung Prison while the DCS task team was stationed there. "I came across claims for R60 000 for subsistence and travel allowances when the officials in question hadn't been travelling at all. The men and women of the DCS team stayed at the Protea Hotel in Bloemfontein. He told me DCS officials had been receiving overtime remunerations, in some cases up to R50 000 a month. In addition they were charging the department for accommodation and meals at Bloemfontein's Protea Hotel even when they weren't in town. They were also sending false travel claims and were buying goods on DCS' tab.

During the entire ten-month DCS reign at the prison, Modise implemented a lock down regime. In other words, the costs were kept at an absolute minimum, while the DCS officials milked the system for overtime and travel expenses. Not surprisingly, Modise reported Jacobs to the police. Setlai and Jacobs have put pressure on the Hawks to investigate the claims laid out in Jacobs' affidavit. The Hawks and the SAPS have both ignored questions I sent them. The investigation into corruption at Mangaung Prison has stalled indefinitely.

15.

Fight or Flight?

In the 1920s, physiologist Walter Bradford Cannon coined the term 'flight-or-fight response; the two basic reflexes humans, and in fact most living creatures, have developed to life-threatening situations. Danger triggers a cocktail of hormones and neurotransmitters in the brain that will course through veins to incite the body to either run as fast as it can, away from the danger, or to respond in equal measure to the danger by fighting back.

Humans find out which category they fall into when danger presents itself. Growing up, my response fell clearly in the fight category. My peers nicknamed me the red hulk, because my rising anger would make my face go red as I was hitting and punching my way through the throngs of mean kids. My sister, on the other hand, had a flight response to the same bullying. She would escape and disconnect. I remember my mother frantically calling search parties of concerned neighbours to find her. Eventually someone would see her somewhere, sitting on a pavement, staring into space, inhabiting an imaginary world in her head, oblivious to the panic her disappearance had caused.

My fight or flight response was tested again decades later in an attempted smash and grab in Johannesburg. Two men appeared at the door of my old Merc. I was waiting for a traffic light to turn green and was backed up behind other cars so I basically couldn't move. I had ignored the safety rules of Johannesburg traffic that dictate one should drive with windows up, doors locked, and all possessions stored away safely in the boot of the car. My window was rolled down and my cell phone in sight. What happened next seemed to take place in slow motion. One of the men had lowered his body into my car and he was reaching for the phone. The other man walked around to the locked passenger's door and was yanking at it. I started screaming and I tried to push back the man who was reaching for my phone. He started pulling on the window.

"Give me the phone," he yelled.

"I have a gun," he added.

I saw his hand reach into his jacket and I screamed louder. I was outwardly completely hysterical as this was going on, but simultaneously I made a rational assessment. I decided I would give up my phone once I saw the gun. Without a gun, I decided – in a split second – I would fight this guy. The man kept reaching into his jacket as if he was going to produce a firearm, but he never actually did. Then the light turned green and I sped off. My window was damaged, but I still had my phone. After I was done crying from the shock, I marveled at the laser-sharp observations my brain had made while my life was in potential danger.

The fight response is effective when the opponent is in front of you. But when the threat of danger is like a shadow on the wall, the fight reflex becomes unfocused and ineffective. The rapid heartbeat, heightened hormonal levels and flushed cheeks do not service an imminent attack and thus can spiral into a panic attack.

That thin line between caution and neurosis was a familiar one. When I was in Albania around 2004 investigating trafficking in women for the sex trade, I met a rough-hewn guy from Macedonia who – so it slowly unfolded – turned out to be the pimp and trafficker of the young woman whose case I was looking into. I spent a few afternoons and evenings at his watering hole. There were some rooms at the back where the waitresses would take the men. As I was sipping my beer and observing the comings and goings, he started hitting on me. He compared me to Nicole Kidman and from then on would yell "Nicole!!" whenever he saw me. A few days later he wanted to take me out for dinner. I declined. Then, one evening we bumped into him at a bar in Tirana. "Nicole!!" he yelled as we approached. I could see from his eyes and movements that he was drunk. He insisted I sit down and drink with him. We are going out for dinner tonight, he asserted with bloodshot eyes. When I declined, he lost it. He started yelling at me as I walked away. Later he sent me threatening messages, telling me I was a whore like the other girls and he knew what to do with whores. In the following days, I left my apartment wearing a headscarf and large sunglasses. For days I was nervous he would track me down and harm me. The pimp probably woke up the next morning with a hangover and no recollection of what he had said to me.
So nothing happened, other than me walking the streets of Tirana incognito, experiencing a prolonged panic attack.

In Albania, I knew the 'who' and 'where' of the danger. In Bloemfontein, however, danger had no name, face or location. During the period the prison descended into lawless chaos and the state stepped in to take over, I was followed around Bloemfontein whenever I visited anyone. At first I was unaware of the men – always men – lurking in plain sight, seated at a table next to me or watching me from the bar.

The first time I noticed something was happening was in 2014, when I sat with Dan talking to British lawyers in a hotel lobby in Bloemfontein. The lawyers were preparing a civil lawsuit against G4S on behalf of the inmates. I had joined them on a road trip, visiting prisons throughout the country to interview the affected inmates. A man sat at the hotel bar, looking at us and within hearing distance. Mid-conversation, Dan stood up and walked to the corner of the room. The lawyers and I exchanged a glance. I still didn't quite grasp what was going on. I looked at the man again and only then noticed his studied, guileless demeanor. We all moved to Dan's corner. The man followed our movements. We stared back at him. He hastily settled his bill and walked off. The bar staff told me later that the man didn't have a room in the hotel but claimed to be waiting for a friend. Then he said the friend had cancelled.

Once the penny dropped, we all backtracked through our day and ran to our hotel rooms to retrieve laptops, phones and other valuables. An uneasy paranoia invaded my consciousness and I saw men following us almost everywhere we went.

Because of this surveillance Dan had different number plates on his car that he used to get in and out of Bloemfontein and most importantly, to his home in the township.

I met up with Dan again some time later. Routinely, we turned both our phones off and I placed them in a little kitchenette next to my room. We had both become paranoid since the strike had blown up and the state had taken over the prison. Dan was convinced spooks were following his cell phone signal, because, so he claimed, they would turn up wherever his car was parked. The Hawks had told him G4S had bugged his phone, and those of the other POPCRU rebels. He also told me the intelligence unit of the Free State police was keeping tabs, as well as the National Intelligence Service, and even the British MI6. The world Dan described was murky and unpredictable.

He said he had once spoken to the Free State spooks. They wanted to know two things: had there been any murders committed at the prison and did the strike mean there was a second Marikana massacre about to happen? His claims were impossible to verify and follow up on, but they did fuel my fight response with no clear adversary.

Some days, I told myself Dan had watched too many spy films. Other days, I was terrified.

That day, Dan sank into the chair and I sat on the bed. He looked tired, and rubbed his chin, which was covered in a black beard intended as a cosmetic measure to shake off his followers.

I had rented a room in a bed and breakfast, which was housed in an old family home. Built around the swimming pool, adjacent to the old house, there was a courtyard with several rooms. I was the only guest in the courtyard.

About half an hour into our conversation I saw something move in the corner of my eye. My brain short-circuited as I tried to figure out who this guy was, standing in my doorway. The man was dressed in grey trousers, a grey polo shirt and he was carrying a laptop in a grey cover. "*Ek soek iemand*," he said to me. I was too baffled and taken aback to say anything coherent, but Dan jumped up, more out of protection than interest. They conversed in seSotho outside the room for half a minute and the man left.

"He said he was looking for someone who looks just like you, the same face, hair, clothes, everything," Dan said as he came back into the room. I was still startled but when I finally got my wits about me, I bounded off the bed and went to look for the stranger. There was no sign of him. The main house was locked up, the guesthouse staff had gone home for the night.

"How did that guy even get in here?" I asked Dan when I got back to the room. You could only get into the secured property if you had a gate remote.

"It's them again," he said. "Let them. Let them see us together," Dan said wearily, rubbing his eyes. "Don't be scared."

But I was scared. Especially after Dan had left and the courtyard was enveloped in darkness and noises sounded suspect and I started checking behind doors and in the wardrobe in my room. My heart was pounding, my cheeks flushed. I was ready, but for what?

This shadowy presence, this 'opponent', for lack of a better word, was omnipresent, yet fluid and elusive, it changed form and identity depending on the context. I focused on the literal, factual parts of the puzzle, with questions like: what are the names of the guards who beat up inmate X so badly he ended up with head injuries in an external hospital? How can I access his medical files? What is the chain of command in the prison, who gives orders and who carries them out? How much does G4S's UK head office know? The answers to these questions presupposed a playing field with actors who had self-evident agendas: inmates who wanted access to justice, prison guards who meted out violence and who were exposed to unnecessary levels of violence, a corrupt department in cahoots with local politicians to line their pockets and a huge multinational with a myopic view of prison management.

But when these shadowy men appeared at my door the script was flipped and I started drawing other conclusions and parallels. It was as if the *mise en scene* was blown up and the actors and props scattered. When these shadowy creatures reared their heads, I started to feel like Truman Burbank, who finally found out that the horizon was not where he thought the sky and the ocean met, when his boat punctured the film set and he found an exit door. When men in grey appeared unannounced at my door the unease it generated in me was not caused by actual danger, it was triggered by everything I couldn't know and never would be able to know. My presuppositions melted away and revealed a new world that was unseen. Who was this person, who sent him, what was he instructed to find out? Why are they always so damn clumsy?

The men in grey hinted at a parallel universe operating alongside the one I knew. They opened up a horror world, where there was no accountability, no names, no verifiable facts, no paper trail. It turned the chessboard upside down and left me wondering how much they knew about me, my private life, my address.

I should never take the same route home, I thought as I tried to fall asleep that night.

16.

The Shareholders, the Contract and the Government

"The prison is present in our lives and at the same time, the prison is absent in our lives," Angela Davis

For years very few people knew that the contract to design, construct, operate, maintain and finance the prison had not been awarded to G4S alone. The British company was part of a consortium with four other local businesses and together they formed Bloemfontein Correctional Contracts (BCC). It is this legal entity that actually holds the Mangaung prison contract with the government and in that capacity is responsible for transgressions and non-compliance. While G4S is one of five shareholders, it was also contracted to manage the prison on a daily basis and was and is therefore the most visible of all shareholders.

The shareholders to the prison contract were a bit like the Bloemfontein illuminati. Everyone knew about them, but no one knew for sure who they were. Inmates, G4S guards and DCS officials told me they were corrupt and politically connected. But no one could provide any evidence. And no one seemed to know who hid behind the obscure 'empowerment' partners to the contract: Fikile Mangaung, Ten Alliance Mangaung, and Ikhewezi Community Trust. These companies were recognized as 'Previously Disadvantaged Enterprises' (PDE). G4S and Old Mutual are the other two shareholders.

I looked up the company details of the shareholders on a company registration database. I tried phoning the BCC directors whose contact details were listed, but the brothers Lebogang and Papi Mokoena and Doreen Medupe all declined contact. I asked everyone and anyone if they knew anything about the shareholders. I spoke to the local EFF and the local DA, who came up with nothing.

One of my sources at the prison, a man who was responsible for custodial transport, told me he once had to pick up Trevor Tutu, Archbishop Desmond Tutu's son, as he was a shareholder for some time. Others mentioned Ace Magashule, the then ANC premier of the Free State. Magashule has been mentioned in many corruption investigations, but nothing seemed to stick. Magashule is currently the secretary-general of the ANC, so it is very unlikely anything will ever stick. Others claimed Tokyo Sexwale poured money into the prison project. When I asked my sources to prove that these names were linked to the prison, they usually shrugged.

The Mokoena brothers were the public face of BCC. Lebogang was the chair of the consortium, a position that was then assigned to Papi in 2014. The two brothers are directors of BCC, Ikwezi Community Trust and Ten Alliance Mangaung.

Dan was the first person to mention the shareholders to me shortly after he had been fired from his job, but before POPCRU banned him and before G4S opened a criminal case of arson and damage to property against him. At the time, September 2013, Dan had just discovered that a consortium of shareholders held the prison contract. Up until that moment, he had negotiated with G4S. The shareholders were simply never mentioned. When he learned about them, Dan initially thought of them as potential allies.

Old Mutual was familiar to him. It is one of South Africa's oldest and biggest insurance companies, founded in 1845. Fikile Mangaung shared the same address with Ten Alliance Mangaung and Ikwezi Community Trust. It is the address of G4S's South African headquarters.

The three empowerment companies look as if they were set up for the sole purpose of the prison contract, as all their registration dates fall within a few days of each other in July 1999, when BCC had won the tender and was negotiating the contract with the government.

I started looking into the three empowerment companies. Fikile Mangaung seemed to be the least obscure of the three.

Fikile Construction or Fikile Projects, as the holding companies are known, is a completely black-owned and managed family business. It is headed by Hlamalani Ndlovu who took over the reins of the company when her father was murdered. It has entered into lucrative deals in the past, among others to build extra terminals at O.R. Tambo airport in Johannesburg and to upgrade the visitors' center at the Cradle of Humankind.

Ikhwezi Community Trust was and is a lot more obscure than the Ndlovu's family company.

When it signed the contract in 2000, BCC was also known as Ikhwezi Bloemfontein Correctional Contracts. In isiXhosa Ikhwezi means morning star. The Ikhwezi Community Trust is a 20% shareholder in the contract, and as a founding member of BCC, it is also legally accountable for abuse that could have taken place at the prison. However, it does not seem to have a discernible track record of experience in correctional services, which applies to most other shareholders, with the exception of G4S. But Ikhwezi also doesn't seem to have any business experience or presence or track record in any field.

In a 2004 submission to Parliament, BCC boasted about its corporate social responsibility programme, which was supposed to ensure that benefits were passed on to the local community. Among the recipients of their generosity, Ikhwezi Community Trust was listed as a charity that received a R11 708 donation. One of the shareholders was also the recipient of their corporate social responsibility charity. BCC wrote in their submission: "[the Ikhwezi

Community Trust] was established as a vehicle for identifying needs in the local community and using the dividends generated by the company, to address those needs." No mention was made of what the R11 708 was used for.

The parliamentary submission also included an overview of what Ikhwezi Community Trust was going to receive in the future. Money will be spent, so BCC promised Parliament, on Education and Training (R75,000 a year), Home-Based Care Services (R10,000 a year), Feeding Schemes (R20,000 a year) Small, Medium and Micro-sized Enterprises (SMME) Development (R50,000 a year) and lastly Business Growth and Expansion. BCC promised this money *would* be spent. There is no available information to ascertain whether the R155,000 was indeed spent on the upliftment of the community. Pappie Mokoena, the chair of BCC, responded to my questions about Ikwezi's charitable projects: "ICT as a community development trust was granted a donation of R 150 000.00 by the sponsors of the project to assist with setup costs and as a contribution towards community projects that ICT intended to provide. I am aware that ICT has over the years embarked on a number of successful community upliftment projects." He didn't or couldn't provide any further details on the nature of these upliftment projects.

The ICT is not registered as a charity with the department of Social Development and does not appear in any internet searches.

Ten Alliance Holdings, the mother company of Ten Alliance Mangaung, was set up in the early nineties as a vehicle for tenders and public/private partnerships throughout the country and boasted shareholders in every single province of South Africa. Ten Alliance was part of a consortium to start a new television network in 1998, called Station for the Nation. It also bought shares in Zama Resources Company, which in 2002 was accused of funding the legal costs of an ANC chief whip, who was himself organising lucrative deals for the company, in addition to being a shareholder.

While Ten Alliance's focus area is seemingly very broad, it is evidently based around political connections. In 2009, two high profile officials who had worked in correctional services and who were later elected as MPs to parliament, stood accused of not declaring their interests properly before joining Parliament. The two accused were Xoliswa Sibeko, who had served as National Commissioner of Correctional Services and retired Judge Thabane Jali. Jali was the chairman of the 2002 Jali Commission that investigated prison corruption, maladministration and abuse.

Ndude Ndude, a COPE MP, also held BCC shares. In 2013, the Asset Forfeiture Unit seized her assets, including her shares in BCC and Ten Alliance Holdings. She stood accused of defrauding the political party of R2 million. She was later axed from COPE and sentenced to eight years in prison, of which five were suspended.

Of all the listed directors and companies Dan had only heard of the Mokoena brothers. They were central Bloemfontein figures and spokespeople for BCC. Both brothers had been chairpersons of the BCC Board of Directors, both were directors of Ten Alliance and Lebogang Mokoena had been recently appointed director of Ikhwezi Community Trust. So who are the Mokoena brothers?

The oldest brother, Pappie Mokoena, is the more visible of the two brothers. He was mayor of Bloemfontein and later attempted, and failed, to start his own political party. Pappie, who is two and a half years older than his brother Lebogang, started a Facebook page called 'The Journey'. He wrote about growing up in Mahlomola location in Bloemfontein and on how his parents split up when he was three years old and Lebogang only six months old. Pappie was an ambitious adolescent. He was Head Prefect in high school and in that capacity led students' protests during the 1976 uprising that shook the country in particular the circumstances which led to the murder of high school students in Soweto. Despite his involvement in the student protests, Pappie passed his matric. He went on to study medicine and science at university.

Pappie was appointed mayor of Bloemfontein from 2000 to 2005. At the time of his appointment, Pappie was a licensed pharmacist, who worked at Pelonomi Hospital, before he opened up two retail pharmacies in Bloemfontein. He took up his position as mayor with little to no experience in politics. He wrote about his complete surprise at being nominated mayoral candidate on 'The Journey'. ANC comrades pulled him out of a meeting to inform him the ANC leadership had chosen him as the mayoral candidate for Bloemfontein.

"Thus began my rollercoaster in local government. An area that I had no aspirations for, neither any insight," he wrote.

He continued: "it was a widely held view in the ANC (...) that the instability within the organisation was as a result of the 'mortgaging' of the organisation to business interest. It was widely believed that the epicenter of that instability was particularly located in Bloemfontein." Mortgaging of the ANC to business interests came to be known as 'state capture' under president Zuma's avaricious reign.

A newspaper article at the time mentioned Pappie as someone who was "greatly concerned with the plight of the poor and (he) has a strong passion to serve them." In 'The Journey' Pappie wrote: "(I hope) that future generations will hold all of us just as guilty as the perpetrators of injustice, if, out of fear of material and financial deprivation, we condoned the subjugation of others and the undermining of our human rights-based constitutional democracy."

Pappie's political career ended rather ignominiously in handcuffs. In 2005, he was arrested alongside his wife Granny, for corruption involving about 10% of the R1,5 billion municipal budget. Pappie appealed his conviction and in 2012 the High Court acquitted him. Ten other co-accuseds lost their appeal.

His brother Lebogang was and still is an influential Bloemfontein businessman. He holds positions in various investment, construction and trading companies of which the most well-known one is Bidvest, a rental, distribution and trading company. He was appointed Alternate Non-Executive Director at Bidvest in 2003 and he resigned in 2014. The now 59-year-old is also listed as a director of PEO Projects, Sesiu Investment Holdings (Pty) Limited, Culca Investments (Pty) Limited, and Dinatla Investment Holdings (Pty) Limited, although the latter is 'in liquidation'.

I couldn't find anything else on Lebogang. No one seemed to know him, other than that he was a Bloemfontein 'businessman'.

It was Lebogang though, who picked up the phone when things started going belly-up at the prison. The shareholders were suddenly faced with a crisis. The majority of the warders at the prison were on strike and the department had stepped in and taken control of the prison. Rumours were rife that the consortium was going to lose the contract. It became clear that no one working at the prison or for the department had really read or understood the contract. But the few DCS officials who did understand it, insisted BCC should be held accountable, as they had signed the contract with the state, and they were therefore bound to uphold its provisions. Lebogang had to step out of the comfort of anonymity to phone Dan.

Dan had met Lebogang previously. He had met him and Doreen Medupi in a municipal office in town, some weeks previously. Medupi was one of BCC's directors at the time.

"They told me they were not aware of any riots or stabbings and that these issues had not been mentioned during the shareholders' quarterly meetings," Dan said of that meeting. Dan showed the two BCC directors photos of the abuse that had taken place in Mangaung Prison. Both seemed shocked. Medupe was anxious, Dan remembered. "She said to me: 'This is too big for us'".

Sometime after this meeting, Dan received a call from Lebogang. "The workers should go back to work," Lebogang instructed him. "If they go back, we can save the contract." When Dan told Lebogang that he would discuss this with the leadership of POPCRU, Lebogang warned Dan: "Be aware: G4S will tap your communication. It is a big company and will destroy you."

The shareholders crawled out of the woodwork when a termination of the contract, or, at the very least hefty fines, seemed an imminent possibility. Inmates, guards and DCS officials alike learned about the brothers Mokoena who had earned a living off the operation while managing to remain nearly invisible.

In the end, the shareholders were guaranteed their 30% return on equity rate, despite abuse and torture taking place in the correctional facility. The links to powerful businessmen and politicians remained rumours. The shareholders ensured that the leaked video footage and other evidence of forced injections

and assaults did not affect the money flow negatively. And to achieve that, they didn't even need to bare their teeth. The lengthy, opaque contract with its endless records of change, kept the government in a legal stranglehold. Even though they might have wanted to terminate the contract based on non-compliance, government couldn't afford to do so.

The department found this out the hard way. The department claimed BCC owed them roughly R110 million. DCS had delivered all the prison services during the their take over from October 2013 to August 2014 and so, they figured, they were under no obligation to pay BCC the monthly fee for period that DCS was in charge at the prison. Nearly all G4S staff had been fired and DCS officials were carrying out their work. BCC however, felt it was under no obligation to repay DCS for their services. It kept paying G4S for the operation of the prison, while G4S was not operating the prison. The department dealt with this impasse by withholding monthly fee payments to BCC in 2017. Angered by this decision, BCC took DCS to court.

The judge ruled in favour of the shareholders. It agreed with BCC that withholding R110 million from the shareholders would cause 'irreparable harm': "The financial instability caused to the applicant (BCC) by the non-payment places the continued operation of the prison at risk. The prison is a maximum-security facility. Given the number and status of the persons incarcerated at the prison, the risks of loss of control and operation of the prison are too great to be born. If control of the prison is lost, there is a considerable risk of lives being lost, of injury to inmates and to staff, and of significant damage to property. The applicant states that this is not speculation because these things have happened in the past," the judge reasoned.

That last sentence is interesting. BCC evidently had alerted the judge to the fact that it had previously lost complete control of the prison and that people had been hurt. BCC highlighted this with untouchable arrogance. Probably because it knew that it would not be held responsible for the serious transgressions that had taken place at the prison. Instead, BCC demanded that the Department of Correctional Services keep paying them a service fee while DCS was running the prison. And this is how the shareholders escaped any legal liability for the transgressions, while at the same time continuing to rake in considerable profits.

17.

G4S - Size Matters

"And so it goes on. Massive contracts, huge profits, humiliating exposés, big financial penalties, massive contracts, huge profits ..."[40]

The company that runs Mangaung prison, G4S, is the largest company you have never heard of. It claims to be South Africa's biggest employer, with approximately 15000 people on its pay roll. In addition to running the Bloemfontein prison, G4S provides guarding services, cash-in-transit, and security technology. It has contracts with embassies, government department as well as other companies in South Africa.

Once you've seen them, it is hard to unsee them. In Johannesburg the ubiquitous cash-in-transit vans will suddenly appear on every street corner. The black and red logos on the uniforms of security guards are suddenly noticeable. They are everywhere.

Yet while they're everywhere they are also invisible. Like furniture blending into the background, the security company is omnipresent but barely noticeable. During my investigation, I never saw the managers or directors of the prison. G4S' South African head office routinely refers all media inquiries to the Department of Correctional Services and the latter would forget to respond or they would send me non-answers. There was a perfect wall of silence around the multinational.

While I saw very little of the G4S management of the prison, I did hear a lot about them. Tatolo Setlai, who worked as a DCS controller under prison director Frikkie Venter in 2008 and 2009, described him as 'Hitler' and 'Eugene de Kock', because, so Setlai alleged, Venter held deeply racist views. He treated black people as inferior and was often rude and dismissive to them, Setlai claimed.

Venter was appointed director of the prison shortly after it opened its doors. He resigned – some say he was fired – early in 2011. Venter was an old school correctional official. He had served as a prison guard for Nelson Mandela and Walter Sisulu on Robben Island and then climbed up the DCS career ladder after apartheid. According to his Linkedin profile he eventually reached the position of National Director. One of the last assignments he carried out was negotiating the contract between the state and the BCC.
And before the ink had dried, G4S hired Venter to run the prison.

"Everything we do at Mangaung is driven towards supporting the government's drive to rectify the imbalances of the past," Venter stated in

[40] Simon Hattenstone and Eric Allison: https://www.theguardian.com/commentisfree/2016/dec/23/g4s-prisons-contracts-hmp-birmingham

G4S' 2008 annual report[41]. This was a mere three years after prison managers had allegedly made Isaac Nelani's murder appear like a suicide.

Frikkie Venter was loud and colourful compared to his successor, Johan Theron, who served as a deputy director under Venter. Theron was as faceless and invisible as Venter was chatty and brash. The latter's Facebook profile is set to public, giving the viewer an in-depth view of his gallery of reasonable amateur photography. Venter also spoke to the press and presented in Parliament.

In a 2004 parliamentary submission[42] Venter spoke about the prison in glowing terms, striking an upbeat and confident tone. That year however, unimaginable violence had shaken the prison. In October 2004, a 28-gang member murdered a rival gang member in broad daylight. It was so horrific that eyewitnesses to this day can barely speak about the disembowelment and murder. The general paraded around the cells with the rival's intestines draped around his neck while the latter lay dying. Warders and inmates fled the scene screaming. One eyewitness wrote an affidavit, claiming the deceased had asked to be transferred to another unit because he didn't feel safe, but the prison had ignored his request. He also claimed prison officials had been notified beforehand of the impending gang fight but that they had taken no action.

"We have invested heavily in the rehabilitation of offenders, to enhance the safety of the community," Venter said to the parliamentarians.

Theron had a different approach. He was practically non-existent online. He had no profile picture on Linkedin and no photography gallery on his Facebook page. The profile picture shows Theron, his wife and his grandson sitting in the sun, with a sunflower placed in a heart shaped vase on a table in front of them. All he concedes on Linkedin page is that he, like Venter, had been employed at the department since 1979, during the dark days of Apartheid.

His last DCS position before he joined G4S was head of Goedemoed prison, which I had visited once with a lawyer. It is situated on a farm in the Eastern Cape. Driving through the undulating farm fields, with men in orange overalls harvesting mielies, set against a backdrop of a setting afternoon sun, it was hard to imagine this was a prison. Inside though, there was no doubt. The lawyer and I spoke with a group of about ten men who alleged an ethnically driven mass assault had taken place. Zulu men were singled out, tortured and beaten up. Violence is sadly a staple ingredient of South African prison life.

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[41] https://www.g4s.com/-/media/g4s/global/files/annual-reports/ara_2008.ashx?la=en&la=en (accessed on 06/03/2019)

[42] Public Hearings 3 – 5 February 2004 on the Draft White Paper on Corrections in South Africa, Submitted by Bloemfontein Correctional Contracts (PTY) Limited. https://pmg.org.za/committee-meeting/3417/ (accessed 06/02/2019)

In order to understand why there were so few consequences for G4S for its maltreatment of inmates, two aspects are important. The first is that the company was and is interested primarily in making money. G4S is accountable to its shareholders, who are big players on the financial markets and as such are mostly interested in the balance sheet. Theron and his colleagues reported to the G4S' South African headquarters. These reports were mostly of a financial nature. The company must have been reassured all was well at the prison, as it was generating an impressive 30% return on equity.

The second aspect that protects the company from liability is its political protection.

Zuma was a regular at G4S headquarters in Centurion. B., a source who worked as a manager at G4S' South African head office claimed he regularly saw Zuma appear after hours at Andy Baker's office. There were apparently framed pictures of Baker, the 'Africa President' of the company and Zuma on the walls of boardrooms.

Zuma's friends are also on the board of G4S South Africa. Sandile Zungu is a member of the board and his company Zungu Investments has a 13% stake in the business. Zungu bankrolled Zuma's presidential campaign and collaborated with the Guptas. Not surprisingly, G4S has provided security for practically every Gupta enterprise: the four Gupta owned mines, Optimum Coal in Mpumalanga, their Brakfontein and Koornfontein mines and the Shiva Uranium mine in Hartbeesfontein. It also provided private security to the Gupta's residence in Johannesburg, as well as for Sahara Computers.

With these deep pockets and powerful friends, the company probably felt invincible. Whenever anyone proved to be a risk to their business, G4S would 'buy' their opponents. I suspect that nearly happened to me once.

During the strike, when two thirds of the workforce was absent and inmates were rioting and burning their mattresses, Elanie Kruger reached out to me. Kruger, a blonde Afrikaans woman, was the HR director for G4S Africa. She gave a video interview when the company won the Top Employer Awards in 2012. Kruger looks in her late forties, her hair is neatly trimmed, a bang balances on her eyebrows, and her tone of voice is soft and friendly. She was the one person in the company the workers didn't hate with a vengeance. They demanded she resolve the strike by firing Stephen Page, the HR director of the prison. Kruger flew into Bloemfontein and addressed the striking workers at the *Koppie*. But she did not fire Page.

She did invite me for a coffee 'to discuss' things shortly after my first big story was published. We made arrangements to meet at a coffee shop in Sandton, but she cancelled when I told her my boss would be joining us. I have always wondered if she was about to offer me a job, with a salary probably three times the amount I was earning at that moment.

G4S often hires its opponents. An official who worked in the controllers' office in the prison, was hired shortly after he initiated an investigation into Isaac Nelani's death. Several Independent Correctional Center Visitors (ICCVs), working for the semi-governmental prison watchdog, the Judicial Inspectorate on Correctional Services, switched sides after the company made them a lucrative offer. Similarly, POPCRU negotiators accepted HR positions in the company after they had led prolonged wage negotiations on behalf of disgruntled workers.

At the executive level, I only ever interacted with Baker and Kruger. Anyone else working at G4S management level would hang up the phone whenever I tried to contact them.

So when B. contacted me, I was surprised. B. met with me on a sunny afternoon in a coffee shop in my hood, Melville. G4S includes stranglehold confidentiality clauses in their employment contracts, with a promise to sue an employee who divulges any information about the company to third parties. So clearly B. had taken a risk. What B. told me while he sipped impossibly green wheat juice, made me reconsider the impact of my work.

G4S' South African head office is as nondescript as its presentation to the outside world. It is situated in an office park in Centurion, a small suburban town between Johannesburg and Pretoria. The building is divided into two parts, square and white, with a huge black and red G4S logo facing outward. I looked at the building from above through Google Earth. Seen from above, the South African head office resembled two ships facing each other. They were like two giant puzzle pieces that would slot into each other, if moved forward. The top half of the building was a white box-like structure, which was supported by pillars. Beneath the white top there were big tinted windows, behind which G4S' office space is situated. The building is fortified with fences, cameras and security lights.

According to B. in April 2015 a 'town hall meeting' was called within the bowels of the G4S ship. Townhall meetings in company speak meant that there was an urgent matter that the entire company work force needed to hear. Every single employee had to drop what they were doing and head to the main atrium in the highly secured building.

When all employees had gathered, Mike Muller, the newly appointed Africa CEO and Elanie Kruger addressed the crowd.

"They told us that Andy Baker would be dismissed with immediate effect. The reason for his dismissal, Kruger said, was because of Ruth Hopkins' articles. I saw him being escorted out of the building by security guards. They had packed his stuff for him." When queried, the company denied Baker was either escorted out of the building or fired.

B. alleges: "We were told not to mention Ruth Hopkins or her work and to not engage with her. If the media asks questions about her, refer them to the HR department. We were basically told to act as if Ruth Hopkins and her investigation didn't exist."

When B. finished his wheat juice, I had just about managed to not fall off my chair. My prison exposé had dominated headlines for a few days, maybe weeks in 2013, but then it died down. The department started covering up evidence soon after the task team was established. The minister who had ordered the investigation was quickly moved to a position abroad. The video evidence of what basically boiled down to torture was dismissed and ignored. The union, who had supported the strikes and had demanded G4S leave the country, completely changed its tune and started to urge workers to return to work, eliciting a mass exodus of members from POPCRU. The cover up took place in plain sight and I sat and watched as everything was stuffed under the carpet.

Never in my wildest dreams had I imagined G4S heads would roll. B. also alleged that Baker's dramatic exit from the company was not the only consequence, several contracts were also cancelled, leading to the retrenchment of approximately 20 people.

B.'s motivation to talk to me had to do with his discomfort in how the company was treating its workers. "There was no humanity in the company, G4S stood for everything that was wrong. The people working for the company never knew where they stood. They could be fired any day."

It was not just the people working at head office who were being treated poorly, B. said. "The guards are not treated well; they're exploited and tired and that is something you can see from management level. They keep retrenching people and putting new people in their place."

The company's profit model, according to B., was based on a poorly paid and disposable workforce at the low end and very well paid - and therefore loyal - executives at the top. Flexible contracts that allow overcharging for services rendered, boost their profits. "They are successful because they don't care about humans, they treat them like slaves, as disposable units."

G4S employees are supposed to own 13% of shares of G4S South Africa in a so-called Employee Share Ownership Plan (ESOP) that dates back to 2005. At the end of 2018 the Economic Freedom Fighters (EFF), however, claimed that this was a fake deal, as employees had told them they were "yet to see a cent from the deal.". The Broad Based Black Economic Empowerment Commission (B-BBEE) was, at the time of writing, investigating G4S' BEE obligations. G4S and its shareholder, Sandile Zungu, claimed that the company had not been profitable and that G4S could not pay shareholders their dividends. Why a successful businessman like Zungu would continue to invest in a company that was not profitable, was a question no one could or would answer.

B.'s discomfort grew when G4S was awarded a 'Top Employer' status by the Top Employer Institute in the Netherlands. G4S South Africa was awarded this status over six consecutive years, from 2012 to 2018. The company continued to win the award after my investigation was published and the information about the use of electroshocking and forced medication with anti-psychotic drugs was in the public domain.

B. attended the 2014 reception of the Top Employer award, shortly after my investigation was published. This investigation highlighted a wildcat strike that led to the dismissal of two thirds of the work force. Despite this level of strife and workers' discontent, G4S was still awarded Top Employer status for that year. "G4S won that award in a year when many people were being retrenched and when employees were very unhappy with G4S. I knew about the prison, but nothing was done about it and no one was allowed to speak out about it. So how can you be a top employer under these circumstances?" B. said the top employer awards were a farce. The HR department of the company filled in the forms and ensured that employees were never consulted. Companies that pay a handsome sum to the top employer institute, B. alleged, are guaranteed a Top Employer Award.

His discomfort with the company's moral attitude came to a head one day. The windows at the entrance of the building are covered in word stickers. Every visitor and employee entering the building will see the words *Integrity*, *Loyalty*, *Trust*. These words were supposed to reflect the values of the company. "But I never saw any of those values adhered to," B. said.

B.'s urge to speak out grew. "I told my team that we needed to come into the office during the weekend and with soap and buckets wash these words off the windows." B. felt that the company's track record did not reflect the words stuck onto the windows. "Shortly after that I left the company."

Part of B.'s assessment had to do with the overbearing British influence in the company. G4S' 'Africa president', the clumsy G4S name for the regional Africa director, had historically always been a British person. "All our accounts are pegged to the British pound, so if our currency (the South African rand) tanks, which it does regularly, we are held accountable for the slump in profits."

B. claimed the Brits were clueless about Africa. "All they care about is profit. G4S has no idea of how things work in Africa."

This damning statement made me wonder if the company knows 'how things work' elsewhere.

G4S' corporate slogan is to "Secure Your World". In 2012, the company commissioned Texan songwriter Jon Christopher Davis, who self-identifies as an "Americana artist with a lone star attitude", to write the company's theme tune, *G4S Securing Your World.*

The song contains nuggets:

"The time is now, don't make a mistake
'Cause the enemy prowls, wanting to attack
But we're on the wall, we've got your back
So get out front and take the lead."

And:

"Our mission is to maintain the peace
But make no mistake, we'll face the beast
We'll back him down, make him run
We'll never leave our post 'til the job is done."

The song might have been one of the last things flamboyant CEO Buckles conceived before he left the company in a cloud of shame, following G4S' failure to provide security during the London Olympics in 2012. In the age of the internet, the theme tune YouTube video is endlessly spoofed. The company took down the original video after their list of scandals became too long and embarrassing.

History of G4S

The company's roots stretch back to an era before the internet, video and television. In 1901 a group of 20 so-called nightwatchmen in Copenhagen decided to form the *Kjobenhavn Frederiksberg Nattevagt* (the Copenhagen and Frederiksberg Night Watch). This security company earned money through individual contracts with households and businesses for the protection of their premises. A drapery wholesaler, Marius Hogrefe and Jörgen Philip-Sörensen, a businessman, ran the company as it expanded throughout Denmark.

Hogrefe and Philip-Sorensen were not just the founders of a nightwatch, they were the architects of the modern day private security industry. They were the founding fathers of three Scandinavian security multinationals: G4S, Securitas and ISS. Ironically the private security industry finds its roots in Scandinavia, currently one of the safest and most peaceful regions in the world.

In 1906 the nightwatchmen merged with the Danish Falck Group. As a 19-year–old, the founder Sophus Falck witnessed chaos ensuing after a fire broke out at the Christiansborg Castle in Copenhagen. He decided then and there that fire rescue services should be improved and several years later he founded the Falck group.

Falck started out as an ambulance and rescue service. In 1908, it offered the first ambulance services using automobiles in Denmark. By the end of that decade, Sophus Falck had expanded his business to cover all of Denmark.

A business strategy focused on expansion and buying up competitors was part of G4S' predecessors' corporate philosophy from day one. The Phillip-Sörensen family bought up many other nightwatch organisations. In 1934, Jörgen's son, Erik Philip-Sörensen, brought the company to Sweden. He founded Securitas, currently G4S' major competitor.

In the 1950s, the company started looking into expanding their business into the UK, after they had saturated the Danish and Swedish market. In 1968, the pater familias, who was in charge of the UK operation, merged their four British companies into one, naming the new company Group 4. In 1981 it was renamed Group 4 Securitas by Jorgen junior, who had taken over the British part of the business.

Jorgen had inherited his father's expansive hunger. He branched out into India in the 1980s. Group 4 gobbled up a huge chunk of the local security market. The company entered the American market when it bought American Magnetics Corporation in 1990. It also expanded deeper into Western and Eastern Europe. In 1991, Group 4 managed the first ever privatised prison in the UK, Wolds prison in Humberside. It later lost that contract due to poor contract compliance.

In 2000, Group 4 and Falck merged, forming Group 4 Falck, This move was sparked by the threat of global giant Securitas, which was dominating the global market. Together, they continued a policy of 'aggressive acquisition', gobbling up thousands of local smaller security companies. They steadily expanded across the globe. In no time, they were the second largest security company in the world, trailing behind Securitas. But they desperately wanted to become *Numero Uno*.

In 2001, Group 4 Falck bought businesses in South Africa thereby entering the African market for the first time. In 2002, the company acquired Wackenhut, at the time the second largest security company in the United States.

In 2004, G4S was born when the British security provider Securicor merged with Group 4 Falck. It started trading on the London and the Copenhagen stock exchanges.

G4S' business is divided into three sections: *Care and Justice* pertains to services in private prisons, immigration and asylum detention centres, refugee camps and police stations. The provision of prisoners' services such as transport, healthcare and electronic monitoring, also falls under their *Care and Justice* programme. While G4S' prison operation comprises only 7% of their entire business, it is a very lucrative part of their operation, with some UK immigration detention centers earning at a 40% profit rate. Mangaung prison earned the company a staggering 30% return on equity.

G4S runs five prisons and two detention centres and one juvenile detention centre in the UK, three prisons in Australia and one in South Africa. It provides prison and immigration detention services, such as transport, in many other countries.

Their second branch is *Cash Solutions*, their cash-in-transit business, which comprises 14% of their total business.

Secure Solutions is the third and biggest section of the company. It includes security services for the oil and gas industry, for private property and events. It also includes security services in war zones, and security technology.

G4S is obsessed with size. The company's drive to become Number One led to a humongous beast of a company that makes impressive profits. But the execution of G4S' services appears too often to be carried out with little attention to the necessary care, insight, training or oversight. This leads to poor contract compliance and pervasive labour unrest in practically every country where they operate.

An aggressive acquisition strategy, which is deeply rooted in G4S' DNA, leads to wide risk margins. This means that risks to the company, such as labour unrest and lawsuits are often ignored. And when the risk outweighs the profits, the company simply sells off the problematic part of the business.

While G4S' aggressive acquisition strategy has yielded impressive profits for the company, it has also created a trail of chaos, abuse and irregularities on the ground.

CEOs

In the UK, the company's home base, a never-ending cascade of G4S-related scandals has dominated headlines for more than a decade. The one scandal that still angers most Brits is G4S' utter failure to provide effective security during the Olympic Games in London in 2012. G4S failed so miserably that the army had to step in at the last minute. It was a very public and widely watched screw-up.

A serious fraud case involving an electronic monitoring contract followed hot on the heels of the Olympics debacle. G4S was charging the British government for the electronic ankle bracelets of about 3000 inmates who had returned to prison, moved abroad or who were dead. The company raked in tens of millions of pounds for these phantom inmates. The Serious Fraud Office opened a case and while that investigation was still on-going, the Ministry of Justice awarded G4S another 25-million-pound contract for the electronic monitoring of inmates.

G4S' failure to provide security during the Olympics also shone a light on the salaries of the men who led the company. Nick Buckles, the company's

flowey-haired CEO, stepped down following the Olympics disaster, but not after he had accepted a £16 million farewell package. Buckles had continued the company's business strategy of expanding aggressively, included forays into sectors where the company had no expertise or skills, and this had backfired spectacularly. Shareholders revolted against Buckles' grandiose plans of acquiring ISS, a huge Danish security and cleaning company. At the peak of his reign, Buckles led a company that had a presence in 125 countries employing close to 650 000 people worldwide. The Olympics, the fraud case and the failed ISS take-over ended his stewardship and ushered in a new vision of a leaner and more focused company.

Buckles' successor and current CEO of the company, Ashley Almanza, is a South African accountant. He studied accounting at the university of Natal and finished an MBA in finance in London. Almanza, who currently takes home approximately £5 million in salary and benefits each year, is publicity-shy and not flamboyant like Buckles. His salary, Corporate Watch calculated, is "403 times the average G4S pay".[43] In corporate videos Almanza exhibits no emotions whatsoever. His face is set to a detached and watchful gaze.

Almanza's net annual salary of £1,2 million was an increase compared to Buckles' salary, which had been just under a million. The pay hike garnered criticism because of the reputational damage the company had undergone following the many scandals.

The company is controlled by several big shareholders, who own 49% of the company. The shareholders are major asset managers and financial investment companies like Blackrock and Ivesco who, among others, invest in financial capital derived from pension funds.

Almanza's business strategy is as toned down as his appearance. He has focused on consolidating the company's portfolio. In business speak, this means the company shed 50 of its problematic businesses and contracts. Most prominently G4S pulled out of Israel and Almanza also started the process of selling the troubled juvenile detention services in the United States and the United Kingdom. The *Guardian* describes his vision as: "a decluttering exercise to restore G4S to its security roots. Buckles's disjointed vision of G4S as a jack-of-all-trades outsourcer would soon be forgotten." [44]

The company slimmed down under the 55-year-old accountant who had worked in the oil, gas and offshore drilling sector before he joined the security behemoth. But G4S is still huge: it retains a presence in 90 countries and employs close to 570 000 people.

Scandals

[43] https://corporatewatch.org/g4s-company-profile-2018/ (accessed on 08/03/2019)
[44] Nils Pratley: https://www.theguardian.com/business/nils-pratley-on-finance/2016/mar/09/g4s-long-way-from-home (accessed on 06/03/2019)

Between the flamboyant Buckles and the non-descript Almanza, the company has run into an impressive number of problems.

Most recently, in August 2018, the British government had to take control of G4S-run Birmingham prison. G4S was awarded a 15-year contract to operate the formerly public prison in 2011.

The government takeover of the prison reminded me of the ten-month reign of DCS at Mangaung prison, a similarity no journalist writing for British media picked up on. It is striking that the company has been forced to hand back control of two private prisons to the state on two different continents due to utter mismanagement, unacceptable levels of lawlessness and violence.

Newspapers ran lengthy descriptions of the conditions that led to the government take-over in Birmingham such as "a prisoner who returned to a blood-spattered cell after his fellow inmate had been assaulted." Rory Stewart, the Tory prison minister who visited the prison, observed: "there were prisoners leaning on the gallery, openly smoking, which they are not supposed to do be doing under the rules. Cell toilets with no screen, broken showers and 'ever present' cockroaches contributed to the 'unfit' living conditions."[45] He rounded off his observations in a very British manner: "It just wasn't decent, clean, orderly, and well run." Like Mangaung prison, Birmingham prison saw extremely high levels of reported violence.

Stewart criticized the company: "I am absolutely convinced that G4S was not going to be able to turn this round on their own." But in the next sentence he quickly reassured the world: "the crisis at the prison was not linked to it being privately run. We have good, privately-run prisons across the country and while Birmingham faces its own particular set of challenges, I am absolutely clear that it must start to live up to the standards seen elsewhere." He even tied his political future in with a set of goals: if drug use in prisons hadn't decreased within a year, he would step down.

G4S' public failures provide a glimpse of a company that is otherwise highly secretive, protected by corporate confidentiality clauses and cooperative governments. And what is even more striking about G4S' spectacular public failures in countries across the globe, is their Teflon quality. Nothing seems to really stick; no lawsuit is big enough or damaging enough and governments are not brave enough to hold the multinational responsible. Quite the contrary, G4S is often awarded new contracts following public scandals and poor contract compliance.

In 2014, a G4S-run immigration detention center on Manus Island, Australia, descended into chaos when an asylum seeker died in a spate of unmitigated violence and riots. While courts ruled that the company had to pay the

[45] Phil Coleman: https://www.newsandstar.co.uk/news/16738590.prisons-minister-rory-stewart-speaks-of-his-visit-to-birmingham-jail-after-g4s-stripped-of-right-to-run-it/ (accessed on 06/03/2019)

detainees 70 million Australian dollars in compensation, the government started negotiations in 2015 for G4S to run the center again.

In 2016, children placed in G4S British Medway detention center endured abusive treatment which was followed by a similar scandal at G4S' UK Brookhouse immigration detention facility in 2017. Guards were caught on camera abusing the people placed in their care, with allegations of racism and misuse of physical force. The Medway contract was recently extended for another two years.

In Israel, the company provided technology for the wall separating Israel from Palestine and equipped prisons where political prisoners were being held. International legal norms were flouted. Due to a hugely successful human rights and divestment campaign, the company was forced to withdraw from the country, but it still runs a police training academy in the country.

An immigration detention center in the Netherlands, run by Securicor (which merged with G4S in 2008) burned down in 2005, killing 11 detainees. Despite this tragedy, G4S is still one of the main contractors in the Netherlands for immigration detention services.

After merging with the American company Armorgroup in 2008, G4S moved into war and conflict zones. G4S is part of a lucrative global military industrial complex, where the company carries out tasks in "complex environments". It accepts jobs that national armies are not trained to do. G4S often provides security for critical supply chains and crucial national assets.

In Nigeria, for example, G4S provided security for Shell and currently provides security for Chevron's oil operation in the Niger Delta, siding with paramilitary forces who have for decades oppressed and fought against the local population.

In South Sudan, G4S worked with the Sudan People Liberation Army (SPLA), which later became the South Sudanese army that has been accused of war crimes. G4S also holds contracts to provide security in Iraq and Afghanistan, at times siding with warlords who stand accused of war crimes.

One particular area where the company keeps encountering strife and unrest is within their own workforce. The cost of labour is the biggest expense for most companies usually taking up around 70% of the budget. G4S, subject as it is to the approval of its shareholders and investors, will aim to bring down labour costs in order to increase profits. G4S' corporate strategy over the past ten years has seen the company retreat from wealthy European countries, while expanding into countries in the Global South, where wages are low and union regulations flexible.

G4S guards in several countries have gone on strike and have sued the company for unfair working conditions. In January 2019, 13 500 G4S guards in the US sued the company for withholding meal breaks during working

hours. A court ordered the company to pay the workers $130 million in compensation.

A 2004 transnational labour union campaign aimed at G4S, produced an effective narrative of labour rights' violations and poor working conditions in countries in the Global South. This argument ultimately swayed some of G4S' investors and shareholders from the Global North to withdraw their investments in the company. This provided the much-needed pressure to get the company to sign a Global Framework Agreement, which it finally did in 2008.

The US-based Service Employees International Union (SEIU) and the Switzerland-based Union Network International (UNI) officially started their global campaign advocating for better working conditions of G4S workers in 2004, on the day G4S started trading on the stock exchanges in the UK and Denmark. Countries such as Poland, Nepal, Zimbabwe, Uganda, Mozambique, South Africa, India, Malawi, and DRC joined the fight. G4S workers from the US were also involved and later Ghana and Morocco joined.

The global campaign has its roots in an American union campaign to improve working conditions of janitors and guards.

In 2001, the union federation SEIU organized workers from a company called Argenbright; a subsidiary of Securicor. This was the security provider that merged with the Danish Group Falck in 2004 and it thus became part of the G4S family. Argenbright workers secured airports around the US and they had not picked up on the men who flew the 9/11 planes into the twin towers in 2001. The union used this oversight in their campaign and linked air passenger safety slippages to the poor working conditions of the guards. Airport security was nationalized in the wake of the attacks.

SEIU also organised workers at Wackenhut, an American company that merged with G4S in 2008. The company fought a dirty war: they instructed employees to take pictures of union workers' vehicle number plates so they could threaten them at their homes.

The American G4S labour union campaign did not cause even a dent in G4S' resolve to expand across the globe. The company kept bidding for and winning contracts throughout the world. This intransigence is the main reason SEIU decided to start a global campaign against G4S.

After the two organisations announced the global campaign in 2004, it remained an online campaign for some months. But in April 2005, that changed. Hundreds of former fulltime G4S Indonesian guards were converted to part time guards without prior notice, following a local merger of two companies. This sparked a 15-month long strike, making Indonesia the first battleground for the global campaign outside rich countries. Now the unions had a 'ground' war which would complement their 'air' war aimed at the top-level executives with the ultimate goal of creating reputational damage to the company and its shareholders.

The company fought back with death threats to unionists and they laid criminal charges against union leaders. This is also what had happened to Dan during the 2013 strike in Bloemfontein. After he led the marches to the prison, the company reported him to the police, had his phone bugged and forced the union to expel him.

As the Indonesian strike unfolded, SEIU started working closely with UNI. They widened the campaign to G4S guards and their unions in Poland, Nepal, Zimbabwe, Uganda, Mozambique, South Africa, India, Malawi, and the DRC.

In 2006, SEIU and UNI announced the creation of the G4S Alliance which would serve as the organizational body of the campaign. This also ushered in a strategic change: a refocus on human rights issues in the Global South.

In March 2006, South Africa's most violent protest since 1994 broke out. Approximately 100 000 security guards went on strike and they waged battles with police and rival unions. Around 60 people died. According to Jamie Mc Callum's book *Global Unions, Local Power*[46], Nick Buckles was meeting with shareholders on a yacht during these protests and he accused UNI of causing these deaths, because the union had prolonged the strike unnecessarily.

That same year UNI filed a complaint against G4S with the UK national contact point for the Organisation for Economic Cooperation and Development (OECD) citing violations of its guidelines on multinationals in 11 countries, "including blacklisting of unionists, wage theft, union recognition and access to bathrooms on the job." The company replied with a letter pleading with the OECD to recognize it as a "people business".[47]

UNI published a report in 2007 on working conditions of G4S guards in Mozambique, Malawi and South Africa: *Who Protects the Guards?*[48] It detailed poverty wages, poor working conditions and widespread racism in South Africa. South African G4S workers alleged in the report that they were called "Kaffirs" and "Monkeys". And that there were "Whites Only" toilets in a G4S location in Pretoria where a manager provided only white guards with keys to the company toilet.

In Blantyre, Malawi, guards' salaries were so low that they were forced to live in places without electricity or water. They couldn't feed themselves or their families. In 2007 the workers went on strike. The often volatile and violent campaign resulted in a 16% wage increase for the workers. This still meant the workers earned just above the one-dollar a day standard and they were still forced to work 12-hour shifts.

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[46] Mc Callum, J. (2013) *Global Unions, Local Power: The New Spirit of Transnational Labour Organizing*, ILR Press, Ithaca and London.
[47] Mc Callum (2013), location 1702 (E-book), page 90.
[48] https://waronwant.org/resources/who-protects-guards-facts-behind-g4s-southern-africa (accessed on 06/03/2019)

The 2007 UNI report was instrumental in a Moroccan G4S campaign aimed at securing a holiday bonus while Ugandan G4S workers signed their first collective bargaining agreement with the company after using the report to shame the company in the local media.

By early 2008, G4S labour campaigns were underway in Poland, Nepal and DRC.

In December 2008, the company finally capitulated to a Global Framework Agreement. The agreement required the company to respect four important international labour conventions: there were provisions included against child labour and discrimination as well as provisions protecting freedom of association. It also included a formal dispute resolution mechanism.

While many heralded the deal as a successful example of a transnational labour rights campaign aimed at a powerful multinational, its implementation has been haphazard. A representative working at UNI told me, off the record, that working conditions in India are still abominable. "G4S guards sleep in accommodation on a floor. No mattresses. No water. No sanitation. They are kept like cattle."

Vetting employees

The company's disregard for employees has led to other forms of misconduct by G4S.

G4S claims in a corporate brochure that: "A robust employee screening programme helps organisations minimise the risk of making inappropriate recruitment decisions. We have a wealth of experience in developing and implementing background checks and security clearance for companies in the private and public sector."[49] However, there is not much evidence of this practice on the ground.

The downward pressure on corporate labour costs means the company usually employs under-educated and unskilled labourers on the ground. They are often overworked and underpaid and this can have terrible consequences.

In 2004, a G4S guard suffocated a 15-year old juvenile offender who was placed in a G4S detention center in the UK to death. Some years later, the guard was promoted to Safety, Health and Environmental Manager at G4S Children's Services.

In 2009, G4S contractor Daniel Fitzsimons killed two fellow private security contractors within 36 hours of arriving in Iraq. Whistle-blowers had warned the company that Fitzsimons was suffering from PTSD and struggled with anger issues. The company admitted that Fitzsimmons had not been properly vetted.

[49] https://www.g4s.com/en-gb/what-we-do/employment-services/screening-and-vetting-services (accessed on 06/03/2019)

In 2010, G4S guards suffocated to death the Angolan asylum seeker Jimmy Mubenga who was being deported. He was heard shouting "I can't breathe," before he went silent and died.

In 2012, a G4S guard bludgeoned and killed a Thai attendee at a HIV conference in Glasgow because he didn't like her attitude. The man had worked a 24-hour shift and had pre-existing anger management problems.

In 2016, it seemed the company still hadn't learned a lesson from their past. Omar Mateen, a G4S guard, committed the worst massacre in the history of the US. He walked into the Pulse nightclub in Florida and shot dead 49 people. Mateen had passed G4S screenings and background checks. The reason he passed the psychological testing was revealed in a subsequent lawsuit: the company had "falsely listed psychological testing information on more than 1,500 forms that allowed employees to carry guns."[50] Mateen was one of those 1,500 employees. The psychologist who had supposedly screened him, had retired and moved out of the state two years before the screening supposedly took place.

Considering G4S' long litany of scandals, deaths, strikes and the extensive evidence of poor contract compliance, it should actually be classified as a failed company. But it is not. It continues to rake in lucrative contracts and governments keep paying the company for its services.

Journalist Simon Hattenstone argued in the *Guardian*[51] that this is because G4S is "too big to fail... While the British government argued that banks had to be bailed out otherwise the economy would suffer, it appears to believe that G4S has to be bailed out of trouble otherwise the nation's security is at risk."

The company has in effect become an arm of government. After years of outsourcing, governments lose the expertise and skills required in outsourced sectors.

Additionally, it can be opportune for governments to outsource political risks, as blame shifting allows politicians to escape political responsibility for tricky dossiers.

Lastly, as the Mangaung case clearly illustrated, outsourcing contracts are often drafted in such a way that escalating costs are embedded in the provisions and withdrawing from the contract is either financially crippling or impossible.

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[50] David Fleshler: https://www.sun-sentinel.com/local/broward/fl-orlando-shooting-fine-20160909-story.html (accessed on 06/03/2019)
[51] Simon Hattenstone: https://www.theguardian.com/commentisfree/2016/dec/23/g4s-prisons-contracts-hmp-birmingham (accessed on 06/03/2019)

This co-dependence between private companies and the government means a company like G4S can continue messing up their work and the government will continue awarding new work to the company. Because G4S is such a behemoth of a company, more likely than not it will win tenders and bids from their competitors, because it can offer competitive pricing of services, due to its size. Clearly, size matters.

18.

Plus ça change.....

"Used to express resigned acknowledgement of the fundamental immutability of human nature and institutions[52]."

"Do you pray with a candle?" Lufuno Nembambula asked me. She is a sharply dressed lawyerly type, buttoned up and alert. Lufuno is a regional coordinator working for the Judicial Inspectorate for Correctional Services (JICS), a semi-governmental prison watchdog. It's end of March 2017 and we were in a drab looking office in the center of Bloemfontein. We were waiting for others to arrive for the monthly meeting of Independent Correctional Center Visitors (ICCVs), the men and women who, on behalf of JICS, go into prisons to record prisoner's complaints. We were seated around an oblong table; paper plates with crisps, nuts and raisins are placed at intervals as well as two-liter bottles of soft drinks. The meeting had not yet started, and we were in the small talk phase.

Lufono's question posed a familiar dilemma. I could have told her "no I don't" and leave it at that. But then there would be a follow up question like "well do you pray in darkness?" or something. I could have told her: "I don't pray because I don't believe in God." That answer satisfied me, because it was honest. But I also knew that it would set me apart, draw attention, raise eyebrows and quite possibly put people off me. And I was there as a journalist, after years of trying and phoning the wrong people, I had been invited to an ICCV meeting and I needed to make a good impression. Mr. Choma, an ICCV at Mangaung prison, took a seat next to me. Welcome, *pastor* Choma, someone said. "I don't really pray anymore, but I was raised a catholic and they love candles," I finally replied.

I managed to avoid probing questions about my spirituality, or perceived lack thereof, and steered the conversation to the differences in worship between Lutherans and Catholics and fire hazards.

My attempt not to stand out or draw attention was quite futile. I was the only white person in the room and moreover I had written damning reports on Mangaung prison, which I imagined most attendees had read or heard about. A guard recently told me that G4S hung up a picture of me at all entrances to the prison, with a warning never to let anyone in who looks like me.

As more people trickled in, I tried to read their expressions. A wry smile, a tired look. Pastor Choma glanced at me with a half-smile and kept looking at me from the corner of his eye. From the corner of my eye, I tried to read the complaint forms in front of him.

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[52] This is the definition of *plus ça change, plus c'est la même chose* provided in an online dictionary.

In the room with the prison visitors, I scavenged the meeting for information, hoping to capture names, positions, dates, case numbers in conversations and documents. The chairperson formally opened the meeting. A tedious discussion of a long list of admin issues followed.

I scanned the minutes of the previous meeting, placed before me and read that in the month of January (2017), there were five incidents involving "unplanned uses of force" in Mangaung prison as well as two suicide attempts. The minutes also mentioned a backlog at the Bloemspruit police station, situated close to the prison. Its officers are responsible for investigating all cases of assault and other offences that take place at the prison.

A tired looking warrant officer Mofokeng was seated at the head of the table, together with her colleague Johnson. She had dark bags under her eyes, uncombed hair, and explained that there were five cases reported in the previous month, minor transgressions such as theft and damage to property. The chairperson piped up: "but you need to explain why this backlog hasn't been dealt with." The weary exchange between the two women revealed that the Bloemspruit police had a whopping backlog of over a hundred cases, stretching back two years. Johnson is a middle-aged officer who told the group he was two days into his new job at Bloemspruit police station. He then offered his deepest apologies for the backlog. He solemnly promised to personally do something about it, adding: "the founding principle of the SAPS is: to 'protect and serve', isn't it?"

When I started investigating Mangaung prison in 2012, Bloemspruit already had a two-year backlog of cases. I found out that for a period of two years there was no one at the station tasked with investigating cases at Mangaung prison. The two officers who had had Mangaung in their beat, had been arrested and convicted on armed robbery charges. The station didn't replace them for two years.

In 2015, I visited Bloemspruit police station to have a look at dockets of inmates who had opened cases, the 'lucky few' who had been assigned CAS numbers. The cases were usually dropped because of 'lack of evidence.'

Together, the profit driven private contractor and the inactive police force created a perfect feeding ground for impunity. Inmates are assaulted by men who know there will be no consequences. The prisoners nurse broken limbs, concussions, bleeding ears and injured spines in dark isolation cells, where most 'troublemakers' inevitably end up. Their requests to see a police officer are filled out on prison *complaints & requests* forms. But the forms usually disappear, so inmates told me. The few inmates who managed to reach the police waited in vain as their requests composted in the backlog pile. This means the inmates also know they are fair game to a frustrated underpaid and overstretched workforce at the prison. The only avenue available to air their discontent and frustration is the language they know well: violence.

"I stabbed the warder because we have no other way of expressing our anger," inmate N. told me the day after the ICCV meeting. His feet were shackled, as

were his tattoo covered hands. His affiliation, the number 28 was marked in between his thumb and index finger. His eyes and body movements were jerky and irritated. I spoke to him as he was leaving magistrate's court, where he was summoned to stand trial for stabbing a warder in 2015. None of the inmates' cases had ever, to my knowledge, gone to court. But when an inmate stabbed a guard and or damaged prison property, their sentences were increased by months and years.

After a minute or two, a G4S warder gave N. a little push. N. stumbled over the chain attached to his ankles and lunged forward, his arms outstretched, but they were also chained. The warder grabbed his shoulder and averted a fall. Together they walked back to the prison van waiting to transport him to his cell.

The next day I met with Zakhele Mahlangu at Pelonomi Hospital in Bloemfontein. In September 2015, the Ninjas assaulted Zakhele after he had ended up in a gang fight. "They took me to Broadway," he said as he waited to see a doctor. "There, they kicked me and electroshocked me. A white man, I can't remember his name, kicked me in the balls." The next day, Zakhele urinated blood and he went to see the prison doctor. The doctor documented injuries to his head, kidneys and private parts. Zakhele reported it to the police, but no one followed up.

I spoke to Zakhele in 2017, two years after the assault. He still needed medical treatment for his injuries.

After I broke the story on the G4S-run prison, I was ready to close that chapter. The minister had announced an investigation that would leave no stone unturned. Shortly thereafter, British lawyers with the London based law firm Leigh Day contacted me. They were interested in representing the inmates in a damage claim vis-à-vis G4S and the government. Accountability seemed to be on the cards.

But then the cover-up slowly unfolded. DCS took control of the prison for ten months and instead of holding the company accountable, they assisted in a cover-up of the assaults, forced injections and other forms of abuse.

The Leigh Day lawyers visited 43 inmates in South Africa. They took their statements and spoke to Dan and other sources. But when they applied to have the case heard at the London High Court, however, G4S challenged the jurisdiction, claiming they would be more than willing to face a judge in South Africa. When the judge agreed, the Leigh Day lawyers saw no other option than to transfer the case to the Legal Resources Center (LRC), who, at the time of writing (March 2019) have not held the company accountable. Not one of the 43 inmates have received any form of compensation or even acknowledgement of their pain and suffering.

So by the time I took a seat at the table with the ICCVs I had lost all hope that the wrongdoing I had exposed would lead to any form of justice. A wall of silence and indifference ensured the unobstructed collusion of the multinational and the government in covering up the reported abuse.

This also meant, however, that I could not let it go. Like a dog digging for a bone, I couldn't give up. I kept investigating the prison. Inmates and warders kept sending me their complaints.

On 19 August 2016, inmates Melvin Faas, John Marbi and Hartzenburg[53] attempted to stab three EST members. The Ninjas retaliated and brought the three men to Broadway. A warder – who wants to stay anonymous - wrote to me, explaining what happened next. "They kicked and electric shock (sic.) those inmates while they were cuffed, in front of Bennie van Aardt and Dereck de Klerk. Marbi's ribs are broken and Faas has internal injuries and broken teeth, Hartzenburg has bleeding ears," he wrote. He further claimed the inmates had not seen a doctor but were rather held in Broadway for a month.

Around the same time, an inmate called Alfred Matlala tried to stab a DSO in the Altcourse unit, which triggered retaliation by seven DSOs. Matlala was admitted to an external hospital with severe head injuries. "He nearly died," a custodial officer working at the prison told me.

Interestingly, prison management suspended the seven DSOs whereas it accepted the three EST members had acted in self-defence. This, so many prison guards claimed, was because the EST men were POPCRU members and the seven DSOs had signed up with NUMSA, a new union. Divide and rule seemed to be the underlying strategy. Dan's skinny soldier was one of the seven men who were suspended. Not long after that, Shakes was dismissed. It looked like G4S was slowly getting rid of all the muckrakers.

It was not just the inmates who were ending up in hospital with broken limbs and internal injuries. When the guards returned to Mangaung Prison after the strike, they were disconcerted to find out the toilet pots were still ceramic, meaning inmates could still fashion lethal weapons out of broken shards. While the company had not replaced the toilet pots, it did kit out every guard with a helmet and a pepper spray. They also installed cages around the guards' workstations in the prison units, so DSOs could safely retreat. No one understood why G4S spent money on these things and not on the toilet pots, an issue guards had raised with management for years.

On 20 March 2017, when an inmate stabbed warder Themba Tom in the head and chest, prison management immediately retorted that he was not wearing his helmet. Tom ended up in the ICU unit of the hospital with serious head injuries. "I nearly died," Tom told me some days after he was released from hospital. He was not offered any significant counselling.

[53] I don't have a first name for this inmate.

I kept meeting with the guards regularly. Since Dan's departure though, there was little action. The men seemed drained, resigned. Many of them were getting suspended and dismissed. Without a fearless rabble-rouser like Dan, the guards seemed worse off than before.

Early 2017, Thabo Godfrey Botsane phoned me. After his release Thabo had become politically active. He joined the National Unemployed Voters Organisation (NUVO). The popularity of NUVO irritated the local ANC. In May 2017, they framed him for a mugging that had taken place at ANC stalwart Thabo Manyoni's lecture at the Free State University in Bloemfontein. At the time, Manyoni was Ace Magashule's arch-rival for the position of ANC chair of the Free State and the two camps were at war with each other. When someone was mugged outside the lecture hall, the Magashule supporters claimed it was Thabo who robbed someone of his cell phone and beat him up. It took Thabo nine months in Grootvlei Prison and a lot of money he didn't have, to prove his innocence.

Grootvlei is where inmates are sent who are either close to their release date or who are going to be transferred. Everyone coming in or out of Mangaung Prison, will be processed through Grootvlei first. When Thabo was held in Grootvlei to await his trial, he became 'my man on the inside". During these nine months he interviewed incoming inmates. Practically every Mangaung inmate he met told him he had been assaulted, electro shocked or both. He also met inmates who had been injected.

My sources at the prison had told me that the injections were no longer carried out at the prison, following my exposé. Prison management had decided to send inmates requiring an injection to Pelonomi Hospital.

The custodial officer, whose responsibility it is to transport inmates to and from hospitals and court houses, told me he had driven Vuyo Ntshobololo and Anelise Gana, to Pelonomi for their injections.

When I arrived at Grootvlei Prison, early 2018, I registered Vuyo Ntshobololo's name with the warder on duty and took a seat in the waiting room. It was a Sunday and there were maybe five other people waiting. A woman arrived, she provided the name and prison number to the warders who sat behind the counter to process visit requests. Suddenly the woman fell to her knees and started wailing and shouting "Run away! Run away!" while grabbing her hair and face. An elderly man and a middle-aged woman rushed towards her and started cradling her head in their hands and sprinkling a bit of water on her face. The warders behind the counter looked at the unfolding drama, barely concealing their indifference. The woman had just found out her brother had died in prison. Grootvlei had not informed her and she thought she would see him that day. I wanted to say something to her, but I didn't know

what. She was sliding off her chair again and landed on the floor, wailing. I offered the woman some of my bottled water.

When I was called for my visit with Vuyo Ntshobololo my mind was still going over what I had just seen. The woman's raw exposed grief was somehow heightened by the vacant looks of the warders who sat perfectly still behind the glass, one of them chewing gum. Like they had seen this many times before and they were already bored. It made me realise prison is not just a punishment for the individual offender, but often affects entire families.

Vuyo was a small thin man. I wondered if his family was worried about him. He was already seated on a bench at the visiting section of the prison when I arrived. When he started speaking I realized that he had psychiatric issues. He admitted so himself when he told me he suffers from *Amafufunyana*. This is an affliction known among the Zulus and Xhosas. People affected by it are considered to be possessed by demons or evil spirits. In aleopatic medicine the equivalent word for the condition would probably be schizophrenia. In traditional beliefs, *Amafufunyana* is treated by a traditional healer, who excorcises the demons or spirits inhabiting the patient. Symptoms include hearing voices from the stomach in a foreign langauge.

Vuyo told me he was the Son of God. When I looked at him puzzled he clarified: "I am the News of God." He kept going on about God and I had to tell him I was not interested in his Godly kinship bonds.

"I want to know what happened to you in Mangaung Prison," I explained.

"They sent me to a psychiatrist," he said.

"But I didn't want those injections, they make me feel dizzy and sleepy. Like I am not myself."

Guards at the prison had told me about Vuyo. They had mentioned he was 'crazy' and difficult to talk to.

As I was leaving the prison, I wondered why Vuyo was in prison in the first place. Was he considered fit to stand trial? He was clearly delusional and, according to South African law, should not be in prison, but in a psychiatric institution.

Vuyo provided the first indication that the injections were continuing post my investigation. More names started trickling in. I try to trace Anelize Gana, but the guards told me he had been transferred and no one seemed to know where to.

Thabo told me a Kebaireng Patrick Dikgwatlhe was in Grootvlei with him. He had been injected several times in Mangaung Prison, Thabo said. I put his name on the list, but found out he had also been transferred.

The Department of Correctional Services meanwhile was still sitting on the report that was supposed to detail evidence of the allegation and hold the company accountable. The lawyers with the Center of Applied Legal Studies (CALS) were pursuing the release of the report through the courts. DCS ignored the deadlines within the legal process, as is their wont. The legal procedure outlined in the Promotion of Access to Information Act (PAIA) stipulates that a judge will decide on the matter without the input of the department, if the required deadlines have passed. At the eleventh hour, when that deadline was about to arrive, G4S asked to be added to the case. Once they were included, the company moved to supress the evidence of torture and abuse contained in the report. Citing privacy concerns, they demanded the judge view the evidence contained in the DCS report 'in camera', which means behind closed doors. While the judge turned down the request, it did substantially delay court proceedings. The next hearing is supposed to take place mid 2019.

When I met a man who I will call K. through H., another man who also has to remain anonymous, I came to realize that DCS never intended to release the report.

I met with H. at the café of the Wits Art Museum, known as WAM café, which is a canteen-like restaurant that serves some of the best vegetarian food in Johannesburg. WAM café is on the ground floor of the building that housed my department. The café caters to visitors of the museum, as well as academic staff of Wits departments – including mine - in the building.

It was an unforgivingly chilly place in winter. The cold air seemed to gather and multiply. The second-floor balcony looked down onto the art café leaving an airy two-story space open to the elements. Facing the balcony was an equally high glass façade overlooking Bertha street, the extension of Jan Smuts Avenue, leading into Braamfontein.

H. had messaged me through social media. He had mentioned Mangaung prison. I had immediately assumed he was a lawyer for an inmate who was incarcerated in the prison.

But when we met, it turned out he had another mission. He claimed several senior DCS officials had asked him to 'help' with the Mangaung case. They sent him to meet with me. "They want justice," he said, with the authority of someone who was used to being believed. I asked him about the DCS report. "All the evidence has disappeared," he said. "A 'bakkie' full of files went missing….."

I told him I had no reason to trust him. He said it was the same for him. We agreed I should meet the DCS officials.

"Do you even know how to take counter-surveillance measures? He asked me. "Do you even know how to use encrypted communication," I retorted, thinking of how hackable social media is.

As I was leaving, I asked him to tell me what I should be thinking of in terms of 'counter surveillance', he smiled and said 'common sense'.

In August 2018, I met him again, this time with his friend K. in a big busy mall on the outskirts of Johannesburg.

K. had been closely involved in the DCS task force that had carried out the investigation at Mangaung prison. He wasn't the first source I had encountered on the task team, but he certainly was the first source who had contacted me, instead of the other way around. He had taken that step because, so he said, the investigation bothered him. Things were not right, and they needed to be exposed.

When the DCS team had arrived at the prison, G4S had welcomed them with a charm offensive. "We would be offered tickets to Lofters (rugby), tickets to soccer, wine and whiskey," K. related. On Fridays there were company braais, where DCS and G4S managers could mingle. K. said he never accepted a bribe or attended any of the braais.

"They are fronting," K. said about the shareholders, the Mokoena brothers specifically. When I asked him to elaborate and also to provide evidence, K. shrugged.

Several weeks later, I found out he was also fronting. K. had promised to provide all the evidence gathered by the DCS task team. In a whatsapp exchange he had written to me that he was feeling "hot under the collar". When I asked him to explain, he wrote: "I am building up anger, because I have seen records and interviewed victims and it just disappeared into thin air. I am traumatized, emotionally drained, I still hear the last screaming of Nelani from the video." Isaac Nelani's last minutes had been captured on CCTV footage. His death was part of the DCS investigation.

K. also revealed what actually happened to the report: "we made 3 copies, which Phiri brought to Leeuwkop on 26 February 2015 from Bloemfontein. We met at Leeuwkop Golf Course (...) and Modise and Jolingana came to sign all 3 copies and each took theirs and Modise took an extra one to Britta Rotmann who was to forward to Mokoena of BCC... and indeed it was delivered coz (*sic*) when they responded they demanded that we attach the source documents, which we did (...) and it was then swept under the carpet till today and G4S never reverted back."

However, when push came to shove, K. intentions were not so noble. He consulted with the other task team members and they came back with a request: money. When I refused to pay them, K. wrote: "I would like us to suspend this completely".

The men incarcerated at Mangaung Prison keep contacting me. And I keep asking them to provide details, so I can follow up, full well knowing that G4S will not respond to the media queries, that DCS is fully captured and that Bloemspruit police station has not followed up on a single inmate's case since the prison opened its doors in 2001.

What this uneven playing field has left me with after six years of research are names. Mduduzi Dlamini died in May 2017, Melikhaya Khanisa died on 9 September 2018, Mthandazo Albert Nzinzana died on 2 October 2018. Tshepo Moema was injected with anti-psychotic drugs, which led to spasticity in his neck. Moegamati Gallie and Fana Mnguni are both being forcibly injected with anti-psychotic drugs.

In a system rigged to protect vested interests while suppressing evidence of malfeasance and abuse, the prisoners have lost before they begin. The multinational, the government department and the police work together to create perfect impunity. Bheki Dlamini, James Mothulwe, Thabo Godfrey Botsane, Boxer Maphikisa, Captain Rampa, Tebogo Meje: they didn't stand a chance. Not one of them saw justice, through the criminal justice system or before the civil courts. All that remains are their names, a reminder to the world that they are not just criminals, offenders, inmates, prisoners. They are humans.

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Reflective essay

MA in Creative Writing (SLLS8007), Wits University

Title: The public/private divide

Student: Ruth Hopkins

Student number: 700458

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Reflective essay – the public/private divide

#metoo

The #metoo movement, for all its fallibilities, superficiality, the scent of armchair revolutionaries and Facebook bullshit, had a profound effect on me - as a woman and a feminist. Stories of casual, random and normalized sexual harassment flooded my news feeds. It was mesmerizing and terrifying at the same time.

I realized two things. First, it lifted a veil that had been stuck onto my rearview mirror, obscuring a lengthy, slimy trail of sexual harassment and violence that snaked through my life. I had never consciously contemplated any of it. Rather, I had brushed off the multiple pussy, ass and tits grabs throughout my life. The unwanted kissing, patting, the public wanking, the men following me home, the lewd comments while I walked down the street alone: I had not given it any serious thought. And, with a jolt, a hashtag made me realize these incidents had been happening for decades, starting around the age of 13. I had internalized all of it.

Going places without my father and mother appealed to me from the moment I could walk. I had traveled alone since I could afford it. And even when I couldn't, I found ways of leaving the parental nest. At 14, I joined my best friend's family for their holiday at the Garda Lake in Italy. My first ever kiss took place in Italy. I can't remember the boy's name but I do remember being shoved against a chain-link fence and feeling hands all over me, a tongue finding its way down my throat. I remember pushing him away and running. I also remember all the Italian swear words I rattled off till the men and boys slinked off, shocked by my foul mouth. It was verbal self-defense.

The sexual harassment didn't end in Italy. I continued to travel whenever I could, often alone, my curiosity always beating any fear I had. And very quickly I adapted to the reality that women, especially young women, are not safe. I have memories from all over the world, of men exposing themselves to me, young boys asking me if I wanted to suck their dicks and old men whose hands lingered too long.

I had never critically queried these incidents and suddenly they presented themselves to me, glaringly, with nowhere to hide. I could no longer unsee or brush off.

The second thing that struck me during the #metoo hype, were the sheer numbers. Pretty much every woman I knew had experienced some form of sexual harassment in her life. The sudden collective awareness shifted unwritten public norms. A new dawn arrived and women's stories of abuse were suddenly validated instead of being ridiculed or ignored.

#metoo was a collective shock treatment which reset our brains. And by us I mean all women with access to the internet; by no means every single woman in the world.

Men I had known professionally lost their jobs after women came forward to accuse them of unwanted touching, kissing and unsolicited showing of genitalia. These women were taken seriously and the men were held responsible. Careers ended. And this discussion was not just taking place on social media; it spread like an oil spill. I spoke about my experiences with colleagues, friends and family. I had lengthy discussions with my eccentric and lively 78-year-old father who wasn't sure if he could still hug a woman spontaneously. Predictably, he placed his discomfort with the developments center stage, instead of acknowledging that we women have to deal with personal invasions of our dignity on a daily basis.

#metoo shifted how we view violence and abuse, including the more mundane and subtle forms. It led to a stream of confessional writing, from film stars, academics and authors. The border between private and public started to blur.

The 'private sphere' has been, and to some extent continues to be, a women's prison. The private sphere can be a place of pain where - in law and in life - rape within marriage is not recognized as a crime, or even a problem.[54] Where domestic violence was (and in many countries still is) considered a marital matter that spouses should figure out among themselves, rather than a criminal and prosecutable offense. #metoo reached beyond this crude kind of misogyny by addressing every single man in the room. It was a reckoning not just with sexual harassment, but with patriarchy itself.

Violent men

I have a view of my back garden from my kitchen table. Every morning, I look at the dead and dried-up vegetables in the upturned, halved oil drums in my back yard. All the vegetables have died. I remember where the cute tiny butternut squash had suddenly appeared, and where the tomatoes, the onions, the carrots had grown.

I moved into this beautiful house with its wooden floorboards and pressed ceilings, because I had been thrown out of my home. I had stubbornly taken all the gardening products with me from the old house, every seedling tray, trellis, pot and plastic tub *had* to come. I wasn't in my right mind. I was wildly grasping at that which was *alive*. I tugged and tugged and uprooted the plants and with that, myself, my life. Attempting to move a vegetable garden across Johannesburg was a really bad idea. All the plants that came with me eventually died. I didn't plant anything again. Now the spreading rust on the oil drums reminds me of what was.

My ex-husband felt he was entitled to withdraw the privilege of living in what I considered my home at any point in time, especially if he disagreed with something I had done or said. His name was on the deed and bond and mine,

[54] 43 countries in the world have not criminalized marital rape: https://en.wikipedia.org/wiki/Marital_rape#Legislation_by_country (accessed on 19/12/2018)

because I'm a foreigner, was not. On New Year's Eve, he threw my framed works of art and family heirlooms outside onto the patio, smashing the glass. My body was covered in scratches and bruises. I had called the police and a friend. I felt endangered, cornered. This time, his abuse had lasted three long days. By day three, I had broken down. I no longer wanted to be conscious, so I started drinking in an attempt to knock myself out, to disappear. But you can't drink or sleep off domestic abuse.

On New Year's Eve, when my friend arrived, I gathered some belongings in a suitcase. As I walked through our garden towards the front door I saw the tomatoes growing along the outer wall, leaves wafting in the wind like they had no worry in the world. The fruit was bright red and succulent, bursting with energy and life. I had watered, pruned and tended that plant that was now more than a meter high. It was life. It was mine. I grabbed the plant and heard the shoots snapping. My ex saw what I was trying to do; he approached and threw me to the ground, I fell hard on my hip, adding another bruise to my battered body. This would be his last act of physical abuse. A year after I had said "I do" in front of our families and friends, I left him. The tomato plant came with me and died in my new house.

Some time after I had moved into the house with the pressed ceilings, a group of writer friends came over. We drank and ate and discussed our writing and then I joined one of my friends in my backyard. She smoked a cigarette and I stared at the rusty oil drums, the desiccated butternut squash, and the green shoots of weeds punctuating the shriveled plants. This was my graveyard of memories. I wished they would die and shrivel like the plants. But they haunted me, like zombies.

"There's a lot of violence in your life," she said, possibly reading my sad silence.
"You've encountered violent men in your private life and you choose to investigate them further in your work," she continued, dead-pan, as if I knew this already.

I let this sink in. No one had ever pointed out that link between my private life and work.

The public/private divide – the law

The 'private sphere' has traditionally been an area where the state has sacrificed its sovereignty. What goes on between the four walls of a home is primarily the territory of 'the family'. The right to a family life, also known as the right to privacy in international law has been interpreted as a 'right to non-interference'.[55] In the privacy of the family home, a lot of women's rights are violated. Human rights law has for decades failed to address this gap.

[55] Radacic, I. (2007) 'Human Rights of Women and the Public/Private Divide in International Human Rights Law'. *Croatian Yearbook of European Law and Policy*, Vol 3, page 452.

This discrepancy had fascinated me as a student of international law. How had the drafters of the Universal Declaration on Human Rights, overlooked this? While a rather meek doctrine of 'horizontal application of human rights' was developed to bridge this gap, by and large, many violations of women's rights are often still considered a private matter, locking abuse and violence against women into the private domain.

In international law, this is known as the 'public/private divide. International law is the law of nation states. Their agreements are captured in legally binding treaties or conventions. There is no international enforcement mechanism, which relegates international law to a more aspirational ambit.

Human rights cut through this basic constellation by making humans the bearers of rights, in a playing field where nation states – often the perpetrators of human rights violations – are actors.

The Second World War and the Holocaust catapulted the concept of inalienable and indivisible human rights to the forefront of international relations. This momentum led to what has become the cornerstone of all human rights instruments: The Universal Declaration of Human Rights (1948). And while the rights to not be discriminated against based on sex is mentioned, not much else in terms of women's rights is. A male bias determined the drafting process of the declaration, which was coincidentally led by a woman, Eleanor Roosevelt. Lengthy discussions were had on who should be the bearers of rights: all men, or all human beings? While consensus was reached on the latter, the notion that citizens have to be protected from human rights' violations from state actors but not that women should be protected from violations committed by third parties, was widely held.

This public/private divide is one of the main obstacles in the protection of women's rights.

Begrudgingly and slowly, the international community has acknowledged that there was a male bias in international human rights law. Three decades after the Universal Declaration was adopted, a treaty on women's rights came into being, placing women's rights firmly within the corpus of international law. But to this day, women are still fighting to break free from the oppressive cloak of the private sphere.

The public/private divide – art

The #metoo movement chipped at away this women's prison, that place where the man was the holder of sovereignty.

The movement threw all sorts of abuse, harassment and other unpleasant behavior to the forefront of our news feeds and TV screens, from the inner folds of the private to the glaring harsh light of the public.

And this blurred another public/private divide.

Can you separate the artist from his/her art? Most artists, including writers, would answer that question with a resounding YES, always. You cannot assume a work of fiction is autobiographical, unless it's an autobiography. While the view that all writing is autobiographical is also accepted, it is at the same time near blasphemous to assume the writer and their work are the same.

Can you hold Dominican-American writer Junot Diaz, author of *This is How You Lose Her*[56] accountable for the misogynist behavior of his characters, who cheat and lie to their partners? It is art, *n'est pas*?

Yet, when Diaz' essay *The Silence: the Legacy of Childhood Trauma*, published in the NewYorker,[57] came out, these boundaries started to blur. A Latino man confessed to being sexually abused; that in itself was a break away from gendered stereotypes of macho Latino men. A celebrated author who had written - with a voice of a generation, so critics claim - about racism, otherism, migration and love. This man had come out with a personal experience of sexual abuse.

The #metoo movement advanced the art of the confession. Skillfully written accounts graced the pages of newspapers and online posts. Women who had careers in film, TV and literature shared their humiliation and what was probably one their most vulnerable moments. Diaz' essay though, in my view, elevated #metoo writing to a literary level.

Diaz' essay was as brave as it was deeply macho. He described a string of faceless women who formed the backdrop to his denial and suppression as an adult of the sexual abuse that happened to him as a young boy.

In the essay Diaz ties the trauma he experienced as a child to the way he treated the women he dated as an adult. This piece of writing, embedded in the #metoo wave, broke down the public/private divide, merging the Art and the Artist into one.

As a journalist, I have been trained to airbrush myself entirely out of the story. First person accounts have become accepted in narrative journalism but are generally frowned upon in mainstream news journalism and only permitted when really necessary. However, within the genre of narrative journalism, which I am exploring in my current writing, the subjectivity of the writer is essential in terms of storytelling.

The process of writing a narrative account of my prison investigation has counter-intuitively (for a journalist) allowed me, a narrator, into the story. It has made me more aware of my own motivation, my own self. As my subjectivity became part of the writing process, coinciding with a renewed

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[56] Diaz, J. (2012) *This is How You Lose Her*. New York. Riverhead Books.
[57] https://www.newyorker.com/magazine/2018/04/16/the-silence-the-legacy-of-childhood-trauma (accessed on 18/10/2018)

personal and collective awareness around violence against women, my friend's offhand remark gained traction.

Why do violent men feature prominently in my private and public life? Recently a colleague told me there were few investigative journalists who document torture. Because most journalists, she said, felt that was too much misery. They preferred hard-hitting stories on money trails, or complex issues cut down into seemingly clear data journalism.

Why am I drawn to violence and the suffering of other humans, while somehow experiencing violence in my home as well? I have no answer, but the question fascinates me. If I can crack the answer, I might heal myself.

Silence

In thinking about that question, what struck me was how I had compartmentalized my experiences. I traveled up and down to Bloemfontein where I listened to the shackled men tell me about the violence, abuse, fear and humiliation inflicted on them behind bars. They sat opposite me, hunched, making themselves smaller than their big frames often were. I was one of the very few people who actually wanted to hear their stories. My listening ear protected me, not once did I feel unsafe or threatened by these men.

What I felt towards the men who had hurt me was completely different. I felt a burning rage, an anger and hurt that went so deep that I swallowed it and said or did nothing. Silence is in many ways the wingman of violence. The #metoo movement broke that pervasive silence, provided a space where years and even decades of swallowed pain and hurt, of suppressed anger and rage, could come out into the open.

American feminist author bell hooks[58] wrote about her experiences of violence and silence in the home long before the hashtag revolution. In *Wounds of Passion: a Writing Life (*1999*)*,[59] hooks describes how, when she was a young girl, her father violently evicted her and her mother from the family home. The trigger was perceived infidelity; her father thought her mother had had an affair and he kicked them both out of the house, threatening to kill his wife if she stayed. hooks and her mother ended up in her maternal grand parents' home. This engendered feelings of female solidarity in hooks, but this newfound bond with her mother was quickly severed when her mother decided to return to her husband. "The return to the family home and the potential for violence within it thus once again rendered hooks isolated within it," Claire Cooke (2012) writes in an essay about the role of violence and silence in bell hooks development as a writer.[60] Her mother had been a silent witness to previous instances of physical abuse by hooks' father and she

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[58] hooks is a penname, she was born Gloria Jean Watkins.
[59] Hooks, B. (1997) *Wounds of Passion: a Writing Life,* Markham, Ontario, Henry Holt Publishers.
[60] Cooke, C. (2012) 'Violently Silenced'? The Role of Violence in bell hook's Development as a Writer. *Limina, a journal of historical and cultural studies,* volume 18, page 7.

continued this silent complicity by returning her daughter to the site of violence.

Cooke (2012) posits that the various forms of violence in hooks' life were a crucial influence on her as a writer. "(..) the status of 'outsider within' allowed this writer to further cultivate an understanding of how race, gender and class formed an intersecting pattern of oppression rendering hooks invisible and silent."[61]

Cooke (2012) analyses: "(V)iolence was a catalyst for hooks' development as a writer because the paternal and emotional violence she relays in *Bone Black* and *Wounds of Passion* directly contributed to her feelings of estrangements, feeling which dominated her childhood and teenage years, continuing through her university studies and culminating in the decision to write *Ain't I a Woman?(*1981)."[62]

In *All About Love* (2001) hooks continues to write about the silencing that violence engenders.

She references the writer Bob Shelby, who wrote a memoir about childhood trauma and abuse, detailing how violence obliterates voice and agency. hooks quotes Shelby: "From these experiences with my father, I learned about the abuse of power. By physically hitting my mother and me, he effectively stopped us from reacting to his humiliation of us. We ceased to protest his violations of our boundaries and his ignoring our sense of being individuals with needs, demands and rights of our own."[63]

Violence, so hooks argues, engenders silence in its victims, creating and ensuring a space where it can be perpetuated. The silence around physical intimate violence does not allow people who have experienced abuse to address it, to heal and to grow.

I think of Francis, who went into Mangaung prison a soccer-loving healthy young man with a slender athletic build. When he came out of prison, he walked unsteadily with crutches, following a brutal attack by the Ninjas that had permanently damaged his spine. He was in constant pain and his speech was slurred, probably from the tuberculosis that had spread to his brain. During the interview, Francis cried several times, describing the utter despair and hopelessness he experienced in prison when the symptoms of his ailments worsened, when he ended up in the prison hospital in a wheelchair. He had TB, HIV, couldn't walk and was incontinent. No one seemed to care. He was awarded medical parole when he nearly died.

Abuse was wired into Francis' DNA. His mother abandoned him at a young age, he became homeless and was taken in by a social worker who ran a home for orphaned and homeless kids. His sister told me he never really found his

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61 Cooke (2012), page 10.
62 Cooke (2012), page 10.
63 Hooks, Bell. 2001. *All About Love, new visions.* New York; First Harper Perennial Paperback Edition, page 22.

place in life and cycled in and out of prison. During the interview he sat on his bed in his bedroom, tears streaming down his cheeks, he kept trying to wipe them away with the back of his sleeve, much like a little boy or girl would do. I imagine his tears stemmed from a deep place of pain, where the disappointments and isolation that ran through his life had pooled. That sunken place, to quote the film *Get Out* (2017),[64] where darkness and pain render a person immobile. Where silence is an insulating cloak around violence. Abuse and neglect were threaded into his life experiences and they had become his language. He changed from perpetrator to victim and back again so many times, it ceased to hold any value: receiving pain, then dishing it out.

Shame

I earned my childhood nickname the Red Hulk, because of the rising colour on my cheeks as I faced off with bullies and fought them into retreat. The Red Hulk had blossomed into a warrior of sorts in my adult public life. Armed with an MA in international law and human rights, I chose the path of investigative journalism focused on human rights abuses. I wrote about police misconduct, (mis)treatment of migrants, violations of women's rights, mistreatment of prisoners, I tracked down traffickers, held the powers that be to account and along the way earned qualifications such as fearless, intrepid and tenacious.

But my inner warrior crumbled into a corner when injustice struck in my private life. When I myself became a victim of women's rights violations, my feistiness vanished. I didn't recognize myself as a victim of violence and I could barely categorize what was happening to me. Rather, I became consumed by shame, fear and regret. I cowered in the face of abuse that was meted out by people I thought I loved. I hid, covered up and mentally tried to 'rewind' and 'delete' the scenes of abuse and hurt that had taken place. My response was the exact opposite to my public reactions in the face of violence.

"Being unable to protect oneself from hurts inflicted by others was a source of shame,"[65] hooks writes about how she viewed and processed her experiences as a young girl. She goes on to quote the writer Gershen Kaufman and Lev Raphael: "shame is the most disturbing emotion we ever experience directly about ourselves, for in the moment of shame we feel deeply divided from ourselves. (..) shame divides us from ourselves just as it divides us from others, and because we still yearn for reunion, shame is deeply disturbing."[66]

hooks, as a writer, draws on her lived experiences in her books such as *Ain't I a woman*? (1981)[67] and *Bone Black* (1996)[68]. Her very first book was a powerful political statement on black feminism. She had dropped out of

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[64] Peele, Jordan. 2017. *Get Out.* 2017. Blumhouse Productions.
[65] Hooks, B. (2001), page 231
[66] Hooks, B. (2001), page 231
[67] Hooks, B. (1981) *Ain't I a Woman? Black Women and Feminism.* Boston. South End Press.
[68] Hooks, B.(1996) *Bone Black: Memories of Girldhood.* New York. Henry Hold Publishers.

college to write it. It was largely based on her personal experiences of growing up in the American South and her experiences of sexism, violence, racism and patriarchy throughout her life. She merges political and societal criticism beautifully with the art of memoir.

My personal experiences barely feature in my thought processes when I write. It has taken me years to realize that the violence of men is written all over my life and that I need to understand and then merge both parts of me if I want to grow as a human and as a writer.

I felt and to a certain extent still feel shame for being subjected to humiliating despicable behavior, for allowing that into my life. My divided self deepened whenever I attempted to speak out about my experiences. "A strong independent woman like you," the other side would ask, incredulously "is a victim of abuse? I can't believe that." Recently, a friend of mine asked me: "Explain to me how an intelligent, beautiful and strong woman like yourself ends up with men like this."

This response reinforced in me the idea that what had happened to me was my own fault. That my strong, intelligent and beautiful exterior was somehow not me; that my wounds shamefully revealed my true self. I mostly made light of my experiences of domestic violence. Not complaining, in modern culture, is often perceived as a virtue. My public persona, the warrior, was what most people knew and responded to. And a warrior will shake off wounds, hurt and abuse so (s)he can return to the battle field, where the war is raging.

But to properly heal, so hooks writes, one must embrace one's wounds. "We need to speak our shame and our pain courageously in order to recover."[69] And this is what makes her writing so poignant and powerful; she writes from a place of lived hurt, she speaks her pain and shows her wounds and from there she extrapolates and connects to wider issues in society, which lends a universal meaning and value to her thoughts.

Although my childhood experiences of being bullied and excluded informed my career choices, my burgeoning awareness as a narrator has led to a more sustained attempt to reach a 'reunion' of that shameful division in myself. Allowing myself into the story as a character with agency, becoming part of the story, has opened my eyes to that division. A first step in bridging my inner public/private divide is writing this essay.

The outsider within

Esther Perel is a Belgian relationship therapist who has turned her sessions with couples into one of the most interesting contemporary podcasts on modern love.[70] The episodes each consist of a once-off recorded counselling session with a couple (who have consented to the recording). Under Perel's

[69] Hooks, B. (2001), page 232
[70] https://www.estherperel.com/podcast (accessed on 02/11/2018)

razor sharp eyes and ears, the show has become a treasure trove of truths and insights into modern day relationships, revealing the psychological needs and wants that underlie our behaviour towards each other. In one of her sessions, I can't remember which one, she responds to recurring problems in a couple's married life that were caused by their respective abusive childhoods. Perel reflected that women often repeat childhood trauma by placing themselves in the same position, revictimizing themselves. Men, on the other hand, often repeat the original offender's behaviour, where they switch from victim to perpetrator, re-enacting the trauma. This sex difference in response to trauma is well documented in psychological literature.

This gendered difference seemed also to apply to myself and the man I married. When he was growing up, his volatile mother would kick him out of the house, whenever there was a conflict they couldn't resolve verbally. Similarly, when I was a teenager, my dad used to kick me out of the house whenever he wanted to show me who was in control. While I was not physically hurt growing up, my father did go through a volatile period after he was appointed professor at a prestigious university in Amsterdam. Instead of looking inwards and finding help in managing increased levels of work-related stress, he lashed out. He repeatedly threw his three daughters out of the family home and threatened my mother with divorce. His destructive behavior lasted from when I was 13 to when I reached adulthood at 18 years, when I moved out permanently. During those five years our home disintegrated, my older sister and I slept on friends' couches for weeks, my mother left and returned, my younger sister begged my parents to send her to a boarding school in the UK, because she couldn't stand the pressure of living in such an insecure home anymore. My older sister and I derailed and started drinking and experimenting with drugs. My dad's influence was felt through his absence and aggression.

In my adult life I have experienced *déjà vus* of that free-fall anxiety, the panic and self-destruction that being kicked out of your home engenders. As an adult, I ended up in situations with men who felt they were in a position to kick me out of my own home. Looking at these patterns with the benefit of hindsight, my many blind spots baffle me. How did I - not once, but twice – end up in the same position as my teenage self: having to flee a place that should be safe: my home.

Freud called this 'traumatic neurosis' or 'repetition compulsion' and he posited that it is actually a way of remembering. Victims of childhood abuse repeat the same behavior later in life because they don't or can't consciously remember the original traumatizing event. They repeat the repressed memory so it becomes a contemporary experience.[71] I clearly remember the multiple parental evictions. But, looking back on my life, specifically my last two relationships, it does feel like I am sub-consciously repeating patterns of the

[71] Chu, James A. "The Revictimization of Adult Women With Histories of Childhood Abuse". *Journal of Psychotherapy Practice and Research*, Volume 1 (5). 1992. And: http://www.sanctuaryweb.com/Portals/0/2010%20PDFs%20NEW/2010%20Bloom%20Reenactment.pdf (accessed 01/12/2018)

past, like I am trying to remember something, even though I rationally do not want to.

The repetition of traumatic events has everything to do with language, or more precisely the lack thereof. When traumatic events happen to a person – be it domestic or sexual violence, a natural disaster or war - there is often very little the victim can say or put into words. The feelings of helplessness mostly manifest in nonverbal images and sensations. The repetition of the trauma later in life is an attempt to give words to the experience. "Give sorrow words", Shakespeare's Macbeth already observed centuries ago.

The power of language has the potential to break through the walls of silence and shame. This power was palpable in the #metoo movement, but also in the conversation I had with the imprisoned men. Many told me it was the first time they were offered a space to talk about their experiences of abuse and violence.

Most of the men I interviewed had had terrible childhoods, filled with poverty, violence and abuse. They validated the theory that men process childhood trauma by becoming the perpetuator, as most men were in Mangaung for violent crimes. In a karmic twist of fate, when they found themselves locked up behind the high tech walls of Mangaung prison, these men were subjected to the same levels of terror the victims of their crimes must have been.

Silencing around violence leads to shame, which in turn leads to compartmentalisation, a divide within oneself. That divide had allowed me to come close to violent men, to attempt to understand their thoughts, problems and ideas, without my private experiences of violence interfering with that process. This inner alienation from myself was at times useful and at times problematic. It was useful in that it allowed me to work uninterrupted by my own trauma. It was problematic in that it did not allow me to develop fully as a narrator.

hooks found a poignant term to describe her divided self. She called it the 'outsider within'. I can relate to the first word. I grew up in a small-minded village in the Netherlands. My family was foreign and we didn't look like everyone else because of our flamed red haired locks. The village didn't take well to us. My sisters and I were picked on, bullied and excluded. Everywhere we went, some person – children and adults alike – would yell some derogatory word for gingers at us. At school, we got beaten up, spat on, ridiculed and excluded. This early childhood experience made me realize I didn't fit in and while I desperately wanted to fit in as young child, over the years I have settled in to my identity as an outsider and have used it to my advantage as a journalist. In my career, I have been drawn to the outsiders, the outcasts, the unwanted and the undesirables.

But unlike hooks, I had no outsider *within*, implying an inner harmony between the constituent parts within oneself. I had not contemplated how my personal experiences of violence affected my public writing about violence, I had not embraced the outsider within me. Feelings of shame about what had

happened to me were amplified by the inability to put into words how the experiences had made me feel. I had no words for my sorrow. I pushed my experiences of trauma out of the realm where my inner warrior operated, fearlessly and tenaciously.

Fight, flight or freeze?

James is my boxing coach. He is a muscled, compact man from Nigeria with an intensity in his eyes that I feel channels the Igbo God of Thunder, who is said to manifest the wrath of the Supreme Being. I doubt James would ever entertain that comparison, as he is a devout Christian, who has repeatedly tried and failed to convince me that 'Jesus will save me'. After 6 years of training with him, James and I have developed a synchronicity. We dance inside the ring, his pads inviting my punches. I know when one of his spirited and crazy moments is going to start. His eyes will go into a trance and the sounds coming from his throat will not always necessarily form words. As he dances around the ring - moving in, moving out, towards me, away from me - sometimes hitting my head with his pad, providing a rough reminder that a boxer in the ring would have slammed a hook on my temple. Blows come my way that I either need to avoid by ducking or respond to with an equally hard slam against his pink coloured pad swishing through the air with the speed of light and thunder. James will at times yell at me in the midst of our frenetic performance, or produce a high-pitched laugh that he pushes out in bouts. At other times he will instruct me: "Be yourself! Don't be afraid. Show yourself!!" as his pink pad lands with a loud thud on my swinging glove. Timed perfectly to coincide with the slam of glove against pad, James will stomp his foot on the boards under the padded surface of the ring. His erratic movements across the ring, his swinging pads, moving to attack, responding to my counter attacks, attract crowds of spectators at the Bronx gym in Hillbrow. Muscled men cease pumping iron and from the balcony above the boxing ring, to observe how James yells, dances and reprimands, his eyes not missing a beat, a lowered guard or a lifted foot.

James taught me how to fight. It was a long-held wish. Growing up as a kid, I had to ward off bullies. My immediate response was physical; I usually chose to fight back. So when my tenth birthday neared, I dragged my father to the local toyshop and asked him to buy me a kids' boxing bag and gloves. He refused, because, so he said, "boxing is not for girls."

James, the Nigerian with fire in his eyes, showed me boxing *is* for girls.

Whenever James yelled "be yourself", I was usually in the trance-like state that is the mid-point of any good boxing training; when your body is sufficiently warmed up and you are nearing the point of resistance, that moment when the body says: no, wait, just give me a second. In that cloud-like point of exhilaration, rubbing up against physical pain, suffering and exhaustion, I feel like my true self, or more precisely my naked self emerges. I am but my body, my intellect shuts down and I'm naked, fighting, giving what

I have, all I have, my breath pushing my body forward. My thought patterns slow down to a single pinhole view of the pads and my blows, my body responding to a primal urge: to fight back. I feel how my heel pivots my body as I turn in for the hook, I feel my knuckles absorbing blows, my breathing catches up after combination punches. It is a pure, undiluted physical presence in the moment.

This total shutdown of cognitive capacities that a good boxing workout will cause was very restorative when I was recovering from the trauma of domestic violence. The flat-lining of thoughts, combined with exhausting and aggressive body movements was so much more healing than all the years of yoga where I spent twisting my body and trying to 'smile from my heart'.

Whereas my fighting spirit has served me well throughout the years, when I was subjected to violence from the men I thought I loved, my 'fight' instinct was nowhere to be seen. Rather when I experienced intimate violence, I froze.

It's 2012 and I am getting ready for my first day at the Wits Justice Project, the organization I would work with for the next 7 years. I had followed my first abusive partner, an American I had met in Geneva, to Johannesburg, after he was appointed there. My life seemed kind of glamorous, in a journalist's way.

On the 1st of February, my first day at work was about to start. Carefully, I had chosen what to wear that day: sequined slippers, tight fit jeans and an elegant flowey beige sleeveless top, that reached down to my knees and tied around my waist with a thin belt. My ex drove me to work, in our shared car. Something was bothering him that day; I could sense his prickly argumentative mood. This mood, I later found out, would precede an outburst of violence. Preoccupied with the day ahead, I ignored his vibe and indicated where he should stop to let me out of the car. He didn't say goodbye or wish me luck. Instead, as I was stepping out of the car, he intentionally sped off, flipping my feet into the air. I crashed hard, half on the pavement, half in the gutter. When I stood up, I saw my elegant wrap-around stained with black mud and my upper arm ached horribly. I watched as he drove off, not stopping to see if I was OK. Fighting back tears, I made my way to Wits University, where I assessed the damage in the ladies' toilet. I tried to wash the stain off, but only made it spread more. There was no way I could hide the abrasion on my upper arm. Over the course of the day, it blossomed into a black/bluish bruise the size of a hand. I gritted my teeth as my new colleagues made inappropriate jokes about domestic violence.

Fast-forward to several months after that incident and the abuse had spiraled. I remember sitting inside a built-in wardrobe, the bricks in the wall behind me pressed into my back. One of my shoes dug into my thigh. A dress brushed against my forehead. I had my arms wrapped around my knees. There was blood dripping from a wound on my upper arm, leaving a red meandering trail on my pants. It was a superficial cut but bled more than I thought it would.

My ex had had one of his more psychotic nights. We got into a fight, and it had spiraled. It always spiraled. He had, out of anger, demonstratively stayed away from a dinner for our mutual friends who had come over to the house. He strode in while we were eating desert, thunder-faced, went over to the internet router and turned it off. This instantly cut off the music we were playing. He slammed a door and disappeared into the bedroom. The guests all quickly left. He started shouting at me the minute they were gone, telling me I could never use the internet again and that the lease was in his name and that I should leave. Exasperated, I placed the pile of dinner plates I had just collected from the table in his lap, telling him to wash them up. He took the plates and threw them at me. There was broken glass and shards flying everywhere and one piece hit my upper arm and had cut through the flesh.

By the time I had retreated into the wardrobe I was no longer thinking straight. I was shivering and bleeding, my arms wrapped around myself like I wanted to disappear. My ex opened the doors to the closet and promised to come back every five minutes to torture me.

I was reduced to a childlike state in these moments of terror and violence, unable to act or think rationally. My common sense flew out the window.

I had no immediate resistance to violence from the person I thought I loved. Intimate terror and violence paralyze. It's a very specific symptom of domestic violence. I had read the reports and interviewed the experts. But now it was happening to me. And it felt like I had lost my mind, like my personality had spontaneously combusted. I was a weak nobody. In the three primordial responses to danger: fight, flight or freeze, I have a strong 'fight' response. But when faced with intimate violence, I freeze.

The Power of Patriarchy

About six months after I left my ex-husband, I visited my sister and her son in the Netherlands. My nephew is a 16-year-old boy who I partly raised when I was living in Amsterdam. My sister was and is a single mum with a demanding full-time job. I helped out with child-minding during the first ten years of his life. I'm quite close to him; at times he calls me his second mum. One day during my visit he and I were in the kitchen, while my sister was at work. Out of the blue he started talking about men and women. He told me he was glad to be born as a boy, as he did not want to experience the pains of childbirth. When I pointed out that there was more to being a girl or a woman than childbirth, he countered that by summing up other reasons it was better to be born male.

"Look at professional sports," he said. "All the top-level athletes are men. And the richest people in the world? They are men. And who runs businesses? Men. Women, by their nature, are weak."

For a minute I was too baffled to respond. A hard-working, independent woman (and loving mother) had raised this boy. I had played a considerable role in his upbringing as well. Both my sister and I are feminists, loud and proud. He was growing up in a peaceful wealthy country, which is considered progressive in terms of its policies and laws on gender. It was mindboggling that my nephew harboured these sexist thoughts. I wanted to talk to him about patriarchy, but I didn't know where to begin.

The Cambridge English Dictionary defines patriarchy as: a society controlled by men in which they use their power to their own advantage.[72] If we don't analyse patriarchy, Guardian columnist Suzanne Moore warned,[73] we will never tackle the worldwide scourge of violence against women, in its many and varied manifestations. "the #metoo accounts of assaults and harassment that have been shared on social media (...) illustrate the myriad ways women live smaller lives in anticipation of male violence," she wrote.

Smaller lives. Those words made me think of my wardrobe retreat, of how I tried to disappear into myself, making myself small and invisible. #metoo pushed me out of a metaphorical closet and made me face and acknowledge these and other traumatizing events in my life. The hashtag made realize how deeply immersed patriarchy was in the fibres of my life.

bell hooks is one of my favourite feminist writers, in case that wasn't obvious yet. As early as 2000, she wrote about the importance of removing domestic violence from the private sphere. She opined in her treatise *Feminism is for Everyone* that we should replace the words 'domestic violence' by 'patriarchal violence'[74], because, so she argues, women also sustain patriarchal norms. For example, by hurting their kids or by condoning and enabling male-on-female violence. The word domestic implies the home, situated in women's private prison. The scope and meaning of patriarchal is more public and systemic, because it applies to society and therefore, to us all.

South African society is deeply patriarchal. The rates of violence against women are one of the highest in the world. Every four hours, scientists calculated, a woman is murdered in South Africa. Half of those women are killed by her intimate partner, which can be a current husband or boyfriend or former partner.

In South Africa, domestic violence is still largely thought of as a private matter, a 'tiff' between lovers. Police laughed at a friend of mine who tried to report life-threatening levels of domestic violence, after her partner tried to throw her out of a moving car. Other women I spoke to had to wait for hours before seeing a uninterested officer who did not follow up on anything. My friend withdrew the charges.

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[72] https://dictionary.cambridge.org/dictionary/english/patriarchy (accessed 03/12/2018)
[73] https://www.theguardian.com/commentisfree/2017/oct/18/what-connects-in-war-domestic-violence-and-sexual-harassment-patriarchy (accessed 03/12/2018)
[74] Hooks, B. (2000) *Feminism is For Everyone, Passionate Politics.* Cambridge, Ma. South End Press, page 61.

The conversation with my nephew made me wonder where patriarchy begins in the minds of young boys who are raised by strong independent women, yet still view women as inferior.

Malose Langa is the one person who should know the answers to these questions. Langa, a Wits lecturer and clinical psychologist, has spent a career researching boys and men in South Africa and their understanding of masculinity.

Langa is a man who keeps fit; he is buff and muscled. Yet, from the moment you meet him, it is clear he fully inhabits the distracted mind and persona of an academic. Langa is a psychology lecturer and researcher at Wits. He hardly smiles and speaks in carefully chosen words, forming well-constructed sentences, a thought wrinkle creasing his forehead. The crease on his forehead is not just a sign of a lot of thinking, it also points to a level of caring that spills over into frustration. At the end of our interview he exclaimed: "We need to heal as a nation. We need more empathy!"

Langa's PhD research explored notions of masculinity among adolescent boys in Alexandra township[75]. As part of his research, in addition to interviewing them, he gave 30 boys, aged between 13 and 18, a disposable camera and he asked them to take pictures of 'my life as a boy' in the new South Africa. They all attended a government run school in Alexandra, one of the poorest townships in Gauteng, rubbing shoulders with the very affluent business center, Sandton.

The boys divided roughly into two groups: those who were pro-school and those who chose a macho street life over academic achievement. One of the non-academic boys, called Shaun, (not his real name), says about violence: "Boys generally like fighting to show who is the man. If you don't fight, people will laugh at you and think you are weak."[76]

Later on, a boy whose pseudonym name is William enters the conversation. He opines: "in most cases we boys fight over girls. You can't allow someone to come and take your girlfriend."[77]

Girls, in other words were treated as 'masculine possessions," Langa writes.[78]

These entrenched patriarchal notions in post-1994 South Africa might be understood by looking at the past. The Alexandra boys possibly inherited a militarized kind of masculinity that was widespread in the generation of their fathers.

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[75] Langa, M. (2012) *Becoming a man: Exploring multiple voices of masculinity amongst a group of young adolescent boys in Alexandra Township, South Africa*. PhD thesis, University of the Witswatersrand.
[76] Langa, M. (2010). Contested multiple voices of young masculinities amongst adolescent boys in Alexandra Township, South Africa. *Journal of Child and Adolescent Mental Health*, page 6.
[77] Langa, M. (2010), page 6.
[78] Idem

Langa studied the militarized masculinity of former Self Defence Unit (SDU) members in the Kathorus area in Gauteng.[79] Thirty young men, who were interviewed in 2007, had participated in the armed struggle of so-called Self Defence Units (SDU) that the ANC sent to fight Inkhata Freedom Party (IFP) aligned-factions in the early nineties, in the years preceding the democratic transition. They joined the SDUs at very young ages, between 10 and 16 years. The units left the boys in charge of security of their neighbourhoods, entrusting them with weapons and the responsibility to patrol and police the neighbourhood. By the time they were interviewed for the study they were between 23 and 30 years of age and they had adapted, or were trying to adapt, to the reality of a post-apartheid South Africa.

Langa writes: "The military socializes boys and men to comply with hegemonic norms of masculinity. Hegemonic masculinity is defined as the 'legitimacy of patriarchy which guarantees the dominant position of men and the subordination of women'. Across all military institutions, the ideal image of masculinity that is constructed and perpetuated includes physical toughness, endurance of hardship, aggressivity, rugged heterosexuality, unemotional logic and refusal to complain."[80] Men and boys who wouldn't join, so Langa writes, were ridiculed and called names such as wimp, pussy and sissy boy.

Their masculinity was premised on violence and dominance, as became clear when the men spoke about their relation to girls during the struggle.

"So if I want a girlfriend I might choose anyone, and say I want that one. I say 'come here', if [she doesn't] like I slap you, she is crying and I take [her] over to my place and do that [have sex with her]."[81]

In South Africa, a very particular kind of violent masculinity has evolved - one strongly influenced by the war, domination and the humiliation of apartheid.

Some of the incarcerated men I had interviewed were a product of the struggle years. Lulama, the prison gang general and one of my main sources among the prison population, joined the MK as a young boy, dropping out of school to take up arms. He felt the army abandoned boys like him after the transition and, from a sense of frustration and disappointment, he joined a gang which facilitated a continued use of violence.

In the prison, the hierarchal organization echoed militarized command structures and wartime 'interrogation methods' such as electro-shocking, were used. Inmates who were disciplined were called pussy, sissy and bitch, labeling them 'just' a woman and thus inferior.

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[79] Langa, M. (2008) "The Intractability of Militarised Masculinity: A Case Study of Former Self-Defence Unit Members in the Kathorus Area, South Africa." *The South African Journal of Psychology*, 38(1).

[80] Langa, M. (2008), page 153.

[81] Langa, M. (2008), page 164.

In 2016, the Legal Resources Center hired Langa as an expert witness to assess the inmates they were representing in a civil law suit against G4S and the state. He interviewed the formerly incarcerated men and wrote a report. I met him in a hotel in Bloemfontein where he and the LRC legal team were staying.

"I've only just finished," he said and looked in the direction of the stairs. "What these guys have gone through, is the worst form of torture," he added. I saw a big burly guy walking down the steps. From the slight hesitation in his step, I could see he was a bit older, in his sixties maybe. I recognized him as Elvis, one of the former prisoners I had interviewed and who was also part of the court case. His was an old case, dating back a decade, so the chances of getting compensation were probably tiny. We both watched Elvis descend and leave.

"But the physical pain is not what scars them. A lot of these men told me what was most traumatic to them was to be stripped naked. The men told me that kind of emasculation kills your manhood," Langa continued.

Patriarchal norms and values, as explored by Langa, operate as a premise for violence among men. 'What it means to be a man' is a question that boys and men grapple with in South Africa and too often than not, the answer to that question is rooted in violence and domination. And in prison, these men who subscribed to a patriarchal system while they were still free, are now themselves subjected to patriarchal violence that espouses brute force and that annihilates any expression of typical female traits such as weakness or sensitivity.

(em)Power in numbers

My ex-husband, the second abusive man in my life, had become violent only after he gained actual power over me. For practical reasons, the power between us shifted from being shared to ending up in his hands. The house and car were in his name. My residence status and therefore also my right to work, became dependent on him. My loss of power, the loss of a communal set-up, enabled his violence, as he now had leverage over me. He would threaten divorce, promising that the sheriff would serve the divorce papers at my office, in front of my colleagues. He would also threaten to phone Home Affairs to deport me. Despite contributing to the house payments as if I owned the property, he would also use the fact that his name was on the bond and deed papers against me. He felt he had the power of eviction and if I refused, he would use physical violence to enact his 'decision'.

The men in prison faced a sudden loss of power. The prison was run like a dictatorship: prisoners' voices were silenced; complaints were usually met with either silence or violence. Leaders – the prison management - were invisible and not accessible. Like dictators, they did not dirty their feet, but rather ordered or tacitly accepted violent retaliation to perceived troubles.

There was no order, collective vision or sense of communality, just the fearful reign of violence that paralyzed the guards and inmates alike.

The incarcerated men and their guards regained some of the agency that they had lost by breaking the silence. By speaking out about the violence inflicted on them, they started building a power base rooted in collectiveness. The realization that they were not alone and that there was power in numbers, galvanized the men. It emboldened the prison guards to go on strike and the inmates to start riots, both expressions of collective dissatisfaction.

And while their collective actions did not lead to a cessation of violence, it did serve to hold those who were in charge and responsible for the violence, to account. They knew they were being watched.

The #metoo movement had a similar effect. The silence that was obscuring violence from society's line of vision broke out into a cacophony of different voices. This newfound awareness combined with the sheer numbers of women speaking out rearranged the power balance between men and women. Similarly, breaking that silence did not eradicate violence against women completely, but it has served to lift the veil on the private sphere.

Both groups – abused women and abused inmates – are locked into a private prison. The women into the prison that is the private sphere and the men into an actual privatized prison. And while my experience and those of the incarcerated men are worlds apart, we have both struggled to express our voice, to speak out about humiliating experiences, without fear or shame. We have both struggled to find power in numbers. Public sharing of experiences of abuse is not just empowering for the individual, it provides others with the courage to proclaim their presence, like the #metoo movement emboldened me to write about my wounds. Power in numbers can provide the momentum to tell the world: I am here.

Lawyer, civil rights activist and writer Bryan Stevenson wrote about a woman who proclaimed her presence in a hostile environment with the simple words: "I am here".[82] He writes about her in his seminal book *Just Mercy* (2014). This old woman from the American South came to court to observe the trial of a man from her community. A man Stevenson was representing and who he believed was wrongfully convicted, based on racial grounds. Sniffer dogs that were part of the security at the court had given her such a fright she had returned home, without ever entering the courtroom. But the next day, she returned and braved the dogs. And with a loud voice, in court, she had proclaimed, repeatedly: "I am here". The description of the old woman's behavior is striking, because the woman's simple yet powerful statement did not just relate to her overcoming the situation with the dogs that was laden with the promise of violence, she also proclaimed herself as a witness. She was there seeing, observing, taking note, holding to account, breaking the silence.

[82] Stevenson, Bryan, *Just Mercy*, New York, Spiegel & Grau, 2014, location 2803 (e-book)

Forgiveness

As my consciousness as a narrator grew, I realized that I felt different towards these violent men in prison and the men who had entered my life. Whereas I didn't judge the men I was interviewing, because their vulnerability and defenselessness in the face of violence was the very reason I was investigating the prison, I was filled with a toxic cocktail of emotions towards the men in my private life: I was enraged, shamed, sad and humiliated. I processed and classified state sanctioned violence differently than privately meted out violence. Central to that contrast, I think, is forgiveness, or the lack thereof.

Some of the men I interviewed during my research, had committed the most vicious crimes. James Mothulwe was a serial rapist. I never looked up his criminal record. He confirmed he was convicted of rape in an affidavit I read. Sources at the prison – both within the prison population as well as the workforce - told me he had raped several women. I didn't really want to know, because that information sent a cold current down my spine.

I didn't know what to feel or think when I interviewed him in Mangaung prison. An injured, broken man stumbled towards me. His neck was in a permanent spasm, his hands jerked involuntarily; spit dripped from the corners of his mouth. He struggled to speak; he could barely steady his eyes. The prison hospital, so he claimed, had overdosed him. They started injecting him in 2004 and continued until 2007, when he started developing the symptoms that he still has to this day. The prison ignored his complaints about the permanent side effects, so he had fashioned himself a neck brace that looked like it was made from a ripped-up pillow. They never replaced the medication they had forcibly injected him with, further substantiating the claim that the prison was not administering the drugs for any medical reason, but rather for purposes of crowd control.

If there ever was a shadow of a man, it was Mothulwe. He will probably never speak fluently again. His helplessness in the face of a fascist, invisible leadership, that used violence instead of arguments and that espoused a hierarchical command structure based on secrecy; effectively a feeding ground for cruelty, was profound. Abuse went undetected for months, then years, then decades. For whatever reason, Mothulwe was singled out for three years of weekly injections with anti-psychotic drugs.

I spoke to Mothulwe alone; it was just he and I in the spacious and mostly empty visiting hall of Mangaung prison. And as I sat opposite him, watching his hands twitch and his neck bob, I realized that it is impossible not to be affected by this level of suffering. It renders someone so defenseless that all what rests of his or her humanity is bare and vulnerable, like raw exposed flesh. My empathy does not mean I condone rape. I didn't look his victims in their eyes, I didn't observe and connect to their humanity. I was in a huge meeting hall with a cold wind breezing through the cracks. And I looked

James Mothulwe in his eyes. If I had spoken to his victims, I would have written a different story.

The broken man in front of me deserved to be treated like a human and not like a lab rat/object/nobody. If we treat incarcerated people like animals, they will respond like an animal. That's how we humans work: we observe and copy from the moment we're born. If we treat criminals as people who still have potential, then a more likely outcome than growing recidivism rates might be that they rediscover what it means to be human.

From a public or political perspective, I care deeply about a carceral system that is rooted in democracy and upholds human rights. Prison provides the perfect setting for human cruelty to be carried out with impunity, because it goes unnoticed for so long. Inmates exist outside the democratic system of checks and balances; in many states inmates are not allowed to vote or exercise other democratic rights. In most countries the prisons dossier is a hugely unattractive political portfolio, which means the electorate will most likely not protest abominable conditions and abuse that takes place inside prison walls. In other words, there is little to no political pressure to change. What makes this obfuscation from public scrutiny even more deeply entrenched is that it is incredibly difficult for the media to access inmates who complain about prison conditions.

These men had killed, raped and generally caused harm. But as they sat opposite me, they were stripped down, their naked humanity was all they had; they were stripped of bravado, stripped of their individuality through their prison uniforms, often stripped of their mobility, because their hands were cuffed. I was there to talk to these men about what had happened to them. They had been assaulted, raped and harmed and no one cared. The perpetrator was now a victim and many people felt: serves them right. An eye for an eye.

I might have felt the same, had I been their victim. My private views as a victim were very far removed from compassion. I spent a lot of time thinking about revenge. These thoughts were mostly very insulting and humiliating yet simultaneously witty come-backs. Long tirades. Deep down, I had lost all respect for the men I was in a relationship with. The fact that they got away with it all, that they continued to work, eat and play as if nothing had happened, burned through me like acid and left behind a throbbing inflamed wound.

Whenever I heard Holocaust survivors forgive the Nazis who had imprisoned them and exterminated their loved ones, I understood and marveled at their revelations from a rational point of view. But I could never 'get' or *feel* what they meant. Forgiving is setting yourself free, they say, it's letting go of the pain, without expecting anything from the other in return or expecting anything to change. I tried and failed to forgive the men who had hurt me physically, emotionally and psychologically. I felt nothing when I tried. After a while it even became counter-productive. The longer I thought about them, the more my anger and frustration would rise.

Archbishop Desmond Tutu thought that was *un-Ubuntu* of me. In an interview he claimed that: "when someone doesn't forgive, we say that person does not have Ubuntu."[83]

Whereas I was in no position to forgive the men I interviewed, because they had not harmed me, my approach was reconciliatory, focusing on their human dignity and humanity, which I felt was tied in with what I felt was everyone's dignity and humanity. Nelson Mandela's statement that a nation should not be judged by how it treats its highest citizens, but its lowest, resonated with me. And, that: "No one truly knows a nation until one has been inside its jails." Publicly I subscribed to the idea of Ubuntu, but privately I failed.

Forgiveness is central to restorative justice, which is in many ways a very African concept. Various reconciliatory forms of justice can be found in indigenous laws throughout the continent. The Igbo in Nigeria and the Songhai Empire of West Africa, for example, were known to have "indigenous social control and justice strategies that focus on forgiveness, communalism, healing and restitution instead of retribution."[84]

Prisons barely existed in Africa before colonization.[85] The colonizer introduced Roman-Dutch law in South Africa and its neighbouring countries, which is retributive in its nature and focuses on fact and truth finding, whereas restorative justice is aimed at reconciliation and addresses the community at large. "Restorative Justice can be defined as a process whereby all the parties with a stake in the particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future."[86]

Ubuntu, in my understanding, is a group oriented, organic form of justice, that focuses on the well-being and unity of the group, which in turn produces individual well-being. In South Africa, the principle of *Ubuntu* informs many restorative justice initiatives, the most famous one being the Truth and Reconciliation Commission. Journalist, poet and academic, Antije Krog, chronicled the TRC hearings as they were happening and she wrote a great deal about the process, including the principle of Ubuntu. In her philosophical essay '*This thing called reconciliation...* ' forgiveness as part of an interconnectness-towards-wholeness", Krog describes the term 'interconnectedness-towards-wholeness' as a principle that is founded on various African notions of communitarianism and justice, including Ubuntu. "(It is) not a passive state of nirvana, but a process of becoming in which everybody and everything is moving towards its fullest self, building itself;

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[83] As quoted in: Bell, R. (2002), *Understanding African Philosophy*, New York. Routledge Press, page 96.

[84] Steyn, F. and Lombard A. (2013), Victims' Experiences of Restorative Mediation: a Developmental Social Work Perspective, *Journal of Social Work*, 49(3), page 333.

[85] Steyn, F. and Lombard A. (2013), page 334.
Wood, Steven (2006) "Book Review: A History of Prison and Confinement in Africa". *International Criminal Justice Review*, volume 16 (3), page 209.

[86] Venter, A. Guidelines for Victim-Offender Mediation for Probation Offices in South Africa. MA dissertation, North-West University, 2005, page 2.

one can only reach that fullest self though, through and with others which include ancestors and the universe."[87]

Krog continues to explain the concept of 'interconnectedness-towards-wholeness' by referencing Cynthia Ngewu, one of the seven 'Gugulethu mothers' - mothers of seven young men who were lured into a sting operation of the South African apartheid security police and killed. One of the black perpetrators of this killing had asked for a meeting with Ngewu, because he wanted to ask her for forgiveness for the murder he had committed.

Ngewu responded: "This thing called reconciliation.... If I am understanding it correctly... if it means this perpetrator, this man who has killed Christopher Piet [her son], if it means he becomes human again, this man, so that I, so that all of us, get our humanity back, then I agree, then I support it all."[88]

In her understanding of the concept of 'interconnectedness-towards-wholeness' Ngewu recognized that the perpetrator's forgiveness opened up the possibility for her and him to become fully human again.

When scrutinizing my inability to forgive, I realized that I do not want to be consumed by hate, anger and sadness. A continuation of the violence would serve to increase those sentiments. I do not want the men who hurt me, to be tortured or assaulted in prison. What I do want is recognition of the pain caused. The principle of Ubuntu, as it finds its expression in the South African criminal justice system, is centered around that recognition.

Another example of the principle of Ubuntu is the so-called Victim-Offender Dialogue (VOD) in the criminal justice system. It provides a space for incarcerated people and the victims, the relatives of the victim and the community. A space of forgiveness is created, a space where pain is spoken and apologies can be made and accepted. In person.

Victims and offenders sit opposite each other and can see into eyes, observe body language and connect, on some level, as humans. The way James Mothulwe and I sat opposite each other in the empty visiting hall. No words could ever convey the experience of observing his suffering from across the table.

Maybe my inability to forgive the violent men in my life is because the hurt has not been acknowledged. And perhaps I could forgive if a space was provided where apologies could be made and a discussion of some sort could be facilitated. Perhaps my revenge phantasies would subside and I could actually let go.

But alas, the men who hurt me, will never apologise. In their minds, I am the aggressor and they are victims. They exhibit textbook behavior of domestic violence perpetrators: victim blaming. After the first relationship there was

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[87] Krog, A. (2008) "*'This thing called reconciliation...'* forgiveness as part of an interconnectedness-towards-wholeness". *South African Journal of Philosophy*, 27(4), page 355.

[88] Krog, A. (2008), page 356.

nothing I could do or say to debunk my ex's lies, even when he started threatening me, through a mutual friend, to stop talking to people about what had happened. I briefly met with a lawyer to discuss my case and quickly learned I had nothing; just a few emails, but no pictures of bruises, cuts, broken possessions. And because I was unfortunate enough to go through this twice, the second time I made damn sure I had evidence of the violence.

Trained in the tradition of Roman-Dutch law and through my work documenting torture, I now knew I needed evidence. So I took pictures of my wounds, of all the things he broke, I had my friend who witnessed the violence write an eyewitness statement, my psychologist, who treated me for trauma emanating from my ex's abuse, also wrote a statement. Lastly, I did what I always advise the men in prison to do when they report torture or other forms of abuse to me. I advise them to document their bruises, cuts and abrasions on a J88 form that has to be filled in by a doctor, before the bruises fade and the cuts heal. I followed my own advice and two days after I fled the violence, I went to a hospital and a kind doctor and nurse documented the reminders of violence on my body on a J88 form.

I had all the ingredients to report my ex-husband to the police, but because he was threatening to report me to Home Affairs, I didn't. Now, however, I am no longer on spousal visa and am preparing to leave the country. The crime hasn't expired.

But will the retributive nature of the criminal justice system lead to a restoration of my dignity as a human being? On the one hand, I want him to face the consequences of his actions, but on the other hand I do not want him to be subjected to violence, in prison or anywhere. In no way do I want to perpetuate the cycle of violence. So what then is a fitting punishment? And is punishment even a desired outcome?

Violence negates love. The hard process of coming to terms with domestic violence was the realization that there was no love in those relationships.

In both relationships, I only realized this after I left the men. Because the real damage did not take place in the relationship, it took place in the aftermath; when the violence was denied. When I was made out to be a psycho whenever I confronted the men who hurt me. I had to sit with the silence surrounding what had happened to me, I had to convince myself that I was not to blame. Having forensic evidence to back up that claim made me feel more in control, but it still didn't weaken the damage of the denial. It led to feelings of isolation and depression.

Pumla Gobodo-Madikizela (2003) in her book *A Human Died That Night*[89] writes about the importance of forgiveness for the victim: "We are induced to empathy because there is something in the other that is felt to be part of the self, and something in the self that is felt to belong to the other. (...) The victim needs forgiveness as part of the process of becoming rehumanized. The

[89] Gobodo-Madikizela, P. *A Human Being Died That* Night – *A Story of Forgiveness.* Cape Town. David Phillip.

victim needs it in order to complete himself and wrest away from the perpetrator the fiat power to destroy. Far from being an unnerving proposition and a burdensome moral sacrifice, compassion, for many, is deeply therapeutic and restorative."[90]

The imprisoned men and I faced each other, and I listened to them speak their pain. That enabled a reconciliatory approach in me (and possibly in them as well). The men who hurt me never looked me in the eye and listened to me speak my pain. They denied any of it ever happened.

It is a deep human need to be heard, validated and recognized. And that, in the end, is what lies under my anger, rage, shame and sadness: a need to be heard. The complete denial of the trauma I experienced still fuels the anger in me, makes me fantasize about revenge and makes me hit the boxing bag so hard I feel I'm going to faint. An acknowledgement of and ultimately an apology for the hurt caused would create a space in me to forgive. It is the denial of the pain that made me swallow my pain and silence myself. Reconciliation can only grow from forgiveness *and* an apology.

A more regular input from victims in the criminal justice system could serve to open up an entirely different view of punishment. One based on the hope that we can all regain our humanity.

Gobodo-Madikizela (2003) writes: "Forgiveness or salvation does not overlook the deed but rises above it. 'This is what it means to be human,' it says. 'I cannot and will not return the evil you inflicted on me,' and that is the victim's triumph."[91]

I find this view deeply true. The attempt to strip me of my humanity made me realize what it means to be human. The violence inflicted on me has only made me more determined to love others and to avoid causing harm. And that, in the end, is where my two divided selves meet, both my private and public self – my *outsider within* – agree that the cycle of violence needs to be interrupted, to let love reign.

[90] As quoted in Antije Krog's essay – Krog, A. (2008), page 359.
[91] Krog, A. (2008), page 360.

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