

**Did the TRC uncover the truth about McBride?**

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**CROSSFIRE**

Although last week's decision by the Truth and Reconciliation Commission's (TRC) amnesty committee to grant Robert McBride and five others amnesty for the bombing of the Why Not and Magoos beachfront bars in Durban on June 14 1986, which resulted in three dead and more than 70 injured, was perhaps predictable, it is likely to remain one of the most contentious acts of the African National Congress's armed struggle.

The families who opposed the applications had argued that the attack was a deliberate act of terror targeting (white) civilians, and as such fell outside of the ambit of ANC policy. This implied that McBride's version of events had been tailored to bolster his application and consequently was not a "full disclosure".

This argument was rejected by the TRC.

At the heart of the findings was the committee's acceptance that McBride believed he was attacking off-duty security personnel when he planted the bomb. Although he was aware that there could be civilian casualties, these would be peripheral to the core target. The committee accepted that McBride believed the target was legitimate, and that "coupled with the ANC's policy of relaxing the policy of avoiding civilian casualties his actions cannot be regarded as disproportionate".

The ANC in its first submission to the TRC claimed that the "Why Not Bar was targeted because it was frequented by off-duty members of the security forces". Apart from McBride's testimony that this was the case, however, no evidence has been provided to support this, although the amnesty committee repeated the

applicants' assertion that the authorities would hardly have admitted this at the time.

The ANC in a subsequent submission claimed that the bombing had proceeded on the basis of "faulty intelligence". What appeared to be an attack on a civilian target, it stated, was in fact "nothing of the sort". It explained that "the cadre may have had information to the effect that a SADF [South African Defence Force] or SAP [South African Police] group would be present at a particular railway station or hotel or restaurant at a particular time, but due to a range of difficulties ranging from faulty intelligence to devices which malfunction and go off at the wrong time an explosion occurs, apparently senselessly, in a civilian area. The Magoos Bar attack falls into this category."

This version implies that McBride had information that security personnel would indeed be present at the bar that night. We now know that is not the case. In his testimony before the amnesty committee in October 1999 he admitted that he did not know whether security personnel were present at the time when he parked the car and set the bomb's timer 15 minutes or so before it exploded. This was assumed on the basis of reconnaissance carried out and information gathered before the incident, a process that the TRC in its "final" report had described as "highly amateurish".

At the amnesty hearing Umkhonto weSizwe special operations chief Aboobaker Ismail, who authorised the attack, also argued that the bombing was justified because McBride believed the target was frequented by security personnel. As the hearings unfolded frustrations and anger boiled over with accusations and counter-accusations. As the primary applicants, some expected McBride and Ismail to acknowledge that a mistake had been made. This appeared, after all, to be implied in the ANC's own submission when it claimed that the bombing was based on "faulty intelligence".

This seemed even clearer when it became apparent that the reconnaissance had been slapdash. But no such admission was made and the claim was maintained that the operation was legitimate.

This fundamentally altered some victims' attitudes towards reconciliation. They rejected McBride's version, claiming that he had no credible information to support his assumption that security force members were present and that he knew the blast would be both lethal and indiscriminate. Because McBride's other armed actions before this bombing bore the hallmark of well-prepared professional operations, it was difficult to understand how he could have proceeded with this bombing in these circumstances.

Ismail conceded that if he had known exactly what McBride was targeting, he “might have instructed [him] to conduct more reconnaissance and gather more information on the proposed target”. McBride, however, maintained that at the time he was convinced that there would be a large number of security men present. The amnesty committee, as in many other cases, gave the applicants the benefit of the doubt.

Whatever the truth, the bombing on the Durban beachfront almost 15 years ago provided powerful propaganda for enemies of the ANC and did little to advance its cause, as the Magoos bomb was consistently wheeled out as “evidence” of the ANC’s terrorism. We may never know whether the bombing was simply a terrible mistake based on faulty intelligence, an uncharacteristic act of incompetence, or even a deliberate and hotheaded act of terror. The fact remains, however, that no tangible evidence of a significant security presence was ever established by the TRC. But neither was this disproved. Again the amnesty committee was left to make decisions in the absence of investigation and consequently we are still left with markedly different versions of what the truth of this matter is. All we have is the committee’s finding that it accepts that McBride honestly believed the bar to be a legitimate target.

The opportunity to test the accuracy of McBride’s assumption that it really was a legitimate target within the parameters of the ANC’s policy has apparently been lost.

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