

Perspectives

on KwaZulu-Natal

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Taxi boss found not guilty, then murdered

Durban taxi boss, Thula Maxwell Sithole, was assassinated less than two weeks after being acquitted on murder charges. Sithole had been charged with murdering Ambrose Khehla Masikane of the Greytown Taxi Association on February 8, 1997 and Mavukela Bhakadeza Dumakude of the Keat's Drift Taxi Association on March 13, 1998.

Judge Igna Stretch acquitted Sithole, the chairman of the Durban Taxi Owners' Association, on both charges on March 19 in the Pietermaritzburg High Court. The prosecution alleged that Sithole hired men to kill Masikane and Dumakude. It was also claimed that Sithole went with the assassins to the scene where Dumakude was killed to ensure that the taxi rival was dead.

About the murder of Masikane, Judge Stretch said that there was no reliable evidence on which to convict Sithole. She said the court was not able to make a finding as to whether the accused had played any role in the murder. Two key witnesses called by the State contradicted one another. Masikane's son was adamant that he could identify the killer as a man that he knew. However, the prosecution called another witness who said that he carried out the murder. He denied that the man identified by Masikane's son was present.

Four of the five witnesses who testified in connection with the murder of Dumakude were accomplice witnesses who gave evidence in return for indemnity if the judge was satisfied that they testified frankly and honestly. Judge Stretch found that it was unlikely that Sithole would go to the scene to see that the murder was carried out. It was also unlikely, according to the judge, that the taxi boss would send his personal bodyguard to carry out the killing without any disguise and together with a hired assassin. Judge Stretch also found that it was unlikely that Sithole would pay his bodyguard and not the hired assassin. She also told the court that there had been no evidence led that there was any quarrel between Sithole and Dumakude.

Judge Stretch said that Sithole took no steps to obtain a position of authority in the Greytown taxi industry in the two years since the murders had been committed. The expressed motive that he had eliminated the men so that he could take up their positions in the industry had not been proved by the State.

The judge questioned why the witnesses had not come forward soon after the murders were committed but had only done so recently. "It appears that they are now testifying because he (Sithole) is not prepared to align himself with the peace process between the

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various taxi associations," she said.

In conclusion, Judge Stretch expressed a hope that "concerted efforts by those in power" would ensure that taxi operations continued peacefully. However, 11 days after Sithole walked out of the court a free man - on March 30 - the taxi boss and his wife were gunned down in a drive-by shooting in Chatsworth, Durban.

Police said that 47-year-old Sithole and his wife were driving to a hotel when a Nissan Sani pushed them off the road. The occupants of the 4x4 vehicle opened fire killing the couple immediately. Several spent AK 47 cartridges were found on the murder scene. No arrests had been made at the time of writing.

Sithole, one of the most feared men in KwaZulu-Natal, last year testified before the province's taxi commission of inquiry about his involvement in taxi violence. ([Perspectives on KwaZulu-Natal Volume One Number One](#)) Sithole testified then that he was involved in a "clean up" of a taxi route on the road to Kranskop. "Perhaps we reached Kranskop having killed six people in daylight," he told the commission. He was unsure whether his victims had been involved in the taxi industry, and said that some were stopped and killed while others were murdered in "drive-by shootings".

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