

# ‘A jigsaw puzzle which Britain finds difficult to solve’: Britain, Bophuthatswana and the Sun City Eight

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## Abstract

In January 1984, seven British and one US national were jailed in the ‘independent’ Bantustan of Bophuthatswana for their roles in a complex fraud at a Sun City casino. This article demonstrates how the Bophuthatswana ‘government’ tried to use the detainees as pawns in their efforts to gain recognition of the territory’s independence, and the difficulties this created for British policymakers. While the Bophuthatswana authorities initially allowed British and US officials to visit the detainees, they soon became obstructive and demanded that permission be sought from their Ministry of Foreign Affairs. As neither the UK nor the USA recognized Bophuthatswana’s independence, such formal contact was ruled out. However, as this article will demonstrate, a well-orchestrated campaign by the families of the detainees put pressure on the British government, which ultimately made concessions to Bophuthatswana regarding the visa process its ministers had to undertake prior to visiting the UK to allow contact with the prisoners. This article will also demonstrate the degree of sympathy that certain sections of the British elite had for Bophuthatswana’s quest for international recognition. Indeed, the deal regarding the visa restrictions and access to the detainees was arranged through Sir Peter Emery, a Conservative member of the British parliament and chairperson of Shenley Trust, a firm hired by the Bophuthatswana government to facilitate its gold sales.

In January 1984, seven UK and one US citizen were jailed for undertaking a well-orchestrated fraud which was estimated to have involved the theft of £80,000 from the casino at the Sun City megaresort in Bophuthatswana.<sup>1</sup> While this crime was not political in nature, it became politicized owing to the complex status of Bophuthatswana as an ‘independent’ Bantustan for the Tswana people within apartheid South Africa’s borders, and due to the scheming of its ‘government’. This article, based on extensive archival research in the UK and South Africa, will highlight the challenges British officials faced as

<sup>1</sup> ‘Casino Britons Accused of £80,000 Theft’, *The Telegraph*, 14 December 1983. Some estimates, however, suggest the fraud might have involved the theft of up to R4.7 Million, roughly £2.7 Million at the time. See Colin Brant, British Consul-General, Johannesburg to FCO, 20 December 1984, The National Archives (TNA): FCO/105/1724. The term ‘Sun City Eight’ appears to have been used ironically by British officials when referring to the prisoners. See, for example, TNA: FCO/105/1697, R.J. Miller to G. Archer, 21 February 1984.

domestic public pressure to help their citizens coincided with efforts by the Bophuthatswana ‘government’ to force them to take action which could be considered as recognition of its independence. It will also analyse the unconventional forms of diplomacy and back-channel deals that were used, highlighting that, at times, diplomats think outside the box to find solutions to these complex and potentially controversial situations.

During the years of apartheid, 10 ‘ethnic homelands’ were granted ‘self-governance’ by South Africa, with four of these going on to achieve ‘full independence’.<sup>2</sup> Black Consciousness leader Steve Biko called this ‘the greatest single fraud ever invented by white politicians’.<sup>3</sup> The term Bantustan was even created to describe the absurdity of this policy which gave ‘independence’ to various ‘Bantu’ people, with ‘stan’ added as the Persian word for land used by several states in Europe and Asia.<sup>4</sup> This policy aimed to divide the Black majority based on their ethnicity and to entrench the migratory labour system by depriving them of their South African citizenship.<sup>5</sup> The policy was also developed, in part, as a response to the ‘new reality’ presented by the decolonization process elsewhere in Africa, and was an effort by Pretoria to ‘reframe’ South Africa’s ‘ideological foundations’ from one of ‘white empire’ to ‘postcolonial nation-state’.<sup>6</sup> By creating what future South African Prime Minister P.W. Botha would describe as a ‘constellation’ of ‘independent’ states with white-ruled South Africa at its centre, the National Party (NP) government hoped to secure a degree of legitimacy for its project of racial separation and subjugation in the region.<sup>7</sup>

Nonetheless, no other country besides South Africa recognized the independence of the Bantustans.<sup>8</sup> This put British policymakers in a difficult position when trying to offer consular assistance to their citizens imprisoned there. Concurrently, the case of the Sun City Eight attracted journalistic attention in both South Africa and Britain, while a well-orchestrated campaign by the friends and families of the prisoners in Britain involving lobbying local Members of Parliament (MPs) and even government ministers meant this issue garnered considerable attention from British policymakers. British Prime Minister Margaret Thatcher even took an interest in the saga, and Downing Street put tacit pressure on the Foreign and Commonwealth Office (FCO) to ascertain facts about the prisoners’ treatment and condition, even if this went beyond what was previously considered acceptable contact with a territory whose independence Britain did not recognize. This demonstrates the tension that existed between the FCO, which was more adamant about avoiding any potential international fall out from action which could be considered recognition of any of the Bantustans’ ‘independence’, and Downing Street, which was far more concerned with domestic considerations and unmoved by calls from the wider international community to take tougher action against apartheid South Africa. This can be viewed as part of a broader struggle between Downing Street and the FCO over policy towards South Africa. While Thatcher prioritized contact with the current regime and some moderate Black leaders, Foreign Secretary Geoffrey Howe increasingly sought to develop tacit contact with the main liberation movement—the African National Congress (ANC).<sup>9</sup>

<sup>2</sup> These were Bophuthatswana, Transkei, Venda, and Ciskei.

<sup>3</sup> Biko cited in James Ferguson, *Global Shadows: Africa in the Neoliberal World Order* (Durham, North Carolina, 2006), 59.

<sup>4</sup> The etymology of this term is explained in more detail in Oliver Nyambi and Rodwell Makombe, ‘Beyond seeing QwaQwa, “Homelands” and “Black states”: Visual onomastic constructions of Bantustans in apartheid South Africa’, *African Studies Quarterly*, 18 (2019), 5–8.

<sup>5</sup> A more detailed discussion of the development of the policy and the initial scholarship on it can be found in Ferguson, *Global Shadows*, 55–59.

<sup>6</sup> Jamie Miller, *An African Volk: The Apartheid Regime and Its Search for Survival* (Oxford, 2016) 22.

<sup>7</sup> Saul Dubow, *Apartheid, 1948-1994* (Oxford, 2014), 106.

<sup>8</sup> There were, however, informal and business contact established with other states, particularly Israel and Taiwan. See Ferguson, *Global Shadows*, 58.

<sup>9</sup> See the preface of Patrick Salmon (eds.) *The Challenges of Apartheid: UK-South African Relations, 1985–1986* (Oxon, 2017).

This article, therefore, adds to the established scholarship on British-South African relations during apartheid. The main thrust of this literature has been on the economic and strategic considerations that encouraged British policymakers to maintain contact with the white supremacist regime,<sup>10</sup> particularly as southern Africa emerged as a key Cold War battleground with the collapse of the Portuguese Empire and the establishment of socialist governments in Angola and Mozambique from the mid-1970s.<sup>11</sup> In this context, Thatcher's Conservative government advocated a policy of 'constructive engagement' which emphasized the importance of maintaining contact with South Africa in the hope of promoting long-term peaceful change and avoiding a violent conflict which could see a socialist orientated government come to power.<sup>12</sup>

This policy has often been analysed purely from the point of maintaining economic links and contact with the white political elite; however, it also ran parallel to efforts to forge closer ties with 'moderate' Black leaders who were identified as those most likely to take up influential positions in the country should apartheid be dismantled. This included some Bantustan leaders, most notably Enos Mabuza and Mangosuthu Buthelezi, Chief Ministers of KaNgwane and KwaZulu, respectively, who both had meetings with Thatcher and other leading British ministers over the course of the 1980s.

These individuals, however, were quite different from other Bantustan leaders as they had refused full 'independence' for their respective territories as they viewed this as a divide and rule policy.<sup>13</sup> They were both also outspoken critics of apartheid, and Mabuza even met the exiled ANC leaders in Lusaka in 1986. Buthelezi's position was more complex: while he had a difficult relationship with the ANC and was viewed as a sellout by many anti-apartheid activists for engaging with the NP government, he was also the leader of the Inkatha movement and was considered a representative of the Zulu people—South Africa's largest ethnic group. There was also a considerable degree of sympathy in Britain for Buthelezi's efforts, working with white South African liberals, to develop a federal 'solution' for the country with a strong degree of multi-racial power sharing.<sup>14</sup>

Many right-wing Conservative backbench MPs, however, wanted to provide even greater support to the apartheid project, and a group referred to as the 'Bop Lobby', regularly called on the government to recognize Bophuthatswana's independence. Nonetheless, official government policy was to avoid any action which could be considered recognition of Bophuthatswana, or any of the other three 'independent' Bantustans. This stemmed from a fear of garnering international condemnation, particularly as United Nations General Assembly Resolution 3411 D called on all Members States to 'avoid any form of recognition'.<sup>15</sup> This article, therefore, also contributes to the burgeoning literature that analyses the ways established governments engage with de facto states without offering

<sup>10</sup> See James Barber, *The Uneasy Relationship: Britain and South Africa* (London, 1983); Geoffrey Berridge, *Economic Power in Anglo-South African Diplomacy: Simonstown, Sharpeville and After* (Basingstoke, 1981); Ronald Hyam and Peter Henshaw, *The Lion and the Springbok: Britain and South Africa Since the Boer War* (Cambridge, 2002).

<sup>11</sup> Sam Matthews Boehmer, 'Questionable Allies: British Collaboration with Apartheid South Africa, 1960–90', *The International History Review*, 46 (2023), 102–19. For more on the regional Cold War context see Sue Onslow (eds) *Cold War in Southern Africa: White Power, Black Liberation*, (Oxon, 2009), particularly John Daniel's chapter 'Racism, the Cold War and South Africa's Regional Security Strategies 1948–90', 36–54.

<sup>12</sup> While this policy was adopted by the Thatcher government it was inspired by US Assistant Under-Secretary of State Chester Crocker. See Joanne E. Davies, *Constructive Engagement? Chester Crocker and the American Policy in South Africa, Namibia, and Angola 1901–8* (Oxford, 2007).

<sup>13</sup> Daniel J. Feather, "'A Cultivated Leader And Sensible Spokesman For Black African Views": Britain's Courting Of KaNgwane Chief Minister Enos J. Mabuza', *History* 109 (2024), 521–50.

<sup>14</sup> Edward A. Lynch, 'The KwaZulu/Natal Indaba: A Federalist Proposal for South Africa', *Publius* 17 (1987), 231–248. A group of Conservative backbench MPs formed the 'London Indaba Group' to lobby the British government to support these proposals. See Call on Mr Chalker by Professor Clarence, 6 April 1987, TNA: FCO/105/2662.

<sup>15</sup> UN General Assembly Resolution 3411 D, 28 November 1976, available at [https://www.un.org/depts/dhl/resguide/r30\\_resolutions\\_table\\_eng.htm](https://www.un.org/depts/dhl/resguide/r30_resolutions_table_eng.htm) [Accessed 20 November 2023].

formal recognition.<sup>16</sup> The main thrust of this scholarship highlights how both established governments and de facto states seek to engage with one another while accepting that this does not necessarily pertain to recognition. However, this case study takes a different approach analysing how the Bophuthatswana government attempted to use even the most minor level of engagement as a marker of recognition while the British government was, to a degree, forced into making contact where it would otherwise have avoided any form of engagement for fear this could be construed as recognition.

The lack of academic attention paid to British policy towards the Bantustans is a fairly significant omission by scholars in this field owing to the fact that Britain, as the former colonial power, contributed to the historical foundations of the homeland policy through the use of ‘native reserves’—land allocated for Africans—under their rule in Southern Africa.<sup>17</sup> Britain also played a key role in carving up the region in the late nineteenth century, which ultimately decided which territories would go on to become independent states and which would be part of South Africa. In the case of Bophuthatswana, British policymakers essentially divided the Tswana people in 1885 when they made a deal with the Tswana chiefs north of the Molopo River, with this area becoming the Bechuanaland protectorate in the process. This territory was granted its independence in 1966 as Botswana. The area south of the Molopo River, also largely inhabited by Tswana, was annexed by Britain at the same time as the Bechuanaland protectorate was established and incorporated into the Cape Colony. It was this territory, as well as predominantly Tswana-speaking areas in the Transvaal and Orange Free State, that made up the Bophuthatswana Bantustan.<sup>18</sup> This was formally established in 1961 as the Tswana Territorial Assembly before being granted self-governing status in 1971 and ‘independence’ in 1977, although the latter was only recognized by South Africa.

Despite the Tswana territory essentially being partitioned, until the 1960s, the border between Bechuanaland and South Africa was highly fluid, allowing easy crossing without a passport or other official documents.<sup>19</sup> Indeed, Mafikeng, Bechuanaland's capital until 1965, was located across the border in South Africa. The early 1960s, however, saw stricter enforcement of the border, which was further solidified with Botswana's independence in 1966.<sup>20</sup> The Bophuthatswana government made several overtures to their Tswana brethren, but the Botswana government was vehemently hostile to the Bantustan project and saw the territory as ‘a child of apartheid’.<sup>21</sup> This led to more coercive efforts by Mangope's government, including an end to visa-free travel to the territory for Botswana citizens, which had a particularly detrimental effect due to the landlocked nation's reliance on rail crossings into South Africa for much of its trade.<sup>22</sup> Using such underhanded tactics against a Commonwealth member was misguided and made it even more difficult for British policymakers to soften their approach to Bophuthatswana.

<sup>16</sup> See Alexander Cooley and Lincoln A. Mitchell, ‘Engagement without Recognition: A New Strategy toward Abkhazia and Eurasia's Unrecognized States’, *Washington Quarterly* 33 (2010), 59–73; Eiki Berg and Scott Pegg, ‘Scrutinizing a Policy of “Engagement Without Recognition”: US Requests for Diplomatic Actions With De Facto States’, *Foreign Policy Analysis* 14 (2016), 388–407; James Ker-Lindsay, ‘The Stigmatisation of de Facto States: Disapproval and “Engagement without Recognition,”’ *Ethnopolitics* 17 (2018), 362–72; Angely Martinez, ‘As a Matter De Facto: State Capacity Dynamics and Their Role in Shaping Sovereignty for Unrecognized States’ (PhD Dissertation, Syracuse University, New York, 2021).

<sup>17</sup> David Welsh, *The Roots of Segregation: Native Policy in Colonial Natal, 1845–1910* (Oxford, 1971), 22–23.

<sup>18</sup> Christian John Makgala, ‘Botswana-Bophuthatswana Relations in the Context of Lucas Mangope's Quest for International Diplomatic Recognition, 1977–1994’, *New Contree*, 86 (2021), 99–102.

<sup>19</sup> James Drummond and Andrew H. Manson, ‘The Evolution and Contemporary Significance of the Bophuthatswana–Botswana Border Landscape’ in Dennis Rumley and Julian V. Minghi (eds.) *The Geography of Border Landscapes* (London, 1991) 571.

<sup>20</sup> Drummond and Manson, ‘The Evolution’, 571–77.

<sup>21</sup> Drummond and Manson, ‘The Evolution’, 579.

<sup>22</sup> Drummond and Manson, ‘The Evolution’, 582–85.

This case study also adds to the emerging scholarship on the Bantustans, which originated from the University of Witwatersrand's History Workshop event in 2011 entitled 'Let's Talk About the Bantustans' and culminated in a special issue of the *South African History Journal* and the publication of an edited collection.<sup>23</sup> A key argument put forward by many scholars in this field is that the likes of Mabuza had a genuine degree of autonomy, which they used to offer tacit support to the anti-apartheid struggle.<sup>24</sup> In this context, Timothy Gibbs has contended that 'we need to find a language that goes beyond the narrative of "Bantustan stooges" and "nationalist liberation movements" in order to incorporate the shades of grey that were so important in the apartheid endgame'.<sup>25</sup> Nonetheless, it is hard to see Mangope as anything other than a 'stooge' as he was part of a traditional chieftaincy family which had a history of collaborating with the apartheid state, most notably taking its side during the defiance campaigns of the 1950s.<sup>26</sup> Mangope was a loyal ally of South Africa, and in return, the South African Defence Force intervened directly to restore him to power after a coup in 1988, and sent troops to help put down a second uprising in 1990. However, while Mangope's loyalty clearly warranted South Africa's protection, Bophuthatswana, like other Bantustans, did show genuine autonomy from Pretoria in a number of areas.<sup>27</sup> Mangope was personally committed to efforts to achieve international recognition of his territory's independence, and at times made policy decisions without informing Pretoria. While the South African government would no doubt have supported these efforts, this does not detract from the fact that this demonstrates that Bophuthatswana did have a genuine degree of autonomy in developing its foreign policy.

The decision by the Bophuthatswana government to hire Shenley Trust, a firm ran by British Conservative MP Sir Peter Emery, to facilitate its gold sales for example, appears to have been taken without Pretoria's approval and the South African 'Ambassador' to Bophuthatswana was concerned that Emery was 'out to make money' from the Bantustan.<sup>28</sup> Similarly, Bophuthatswana's approach to maximize the political capital the 'Sun City Eight' provided was developed independently of Pretoria. When they were made aware of the situation, several figures in the South African Department of Foreign Affairs (DFA) were both surprised and impressed by Bophuthatswana's scheming.<sup>29</sup>

The Bophuthatswana government was the most 'ambitious and aggressive' of the Bantustans in its pursuit of international recognition.<sup>30</sup> Through the use of international

<sup>23</sup> Shireen Ally and Arianna Lissoni (eds) 'Let's Talk About the Bantustans', *South African Historical Journal*, 64 (2012); Shireen Ally and Arianna Lissoni (eds) *New Histories of South Africa's Apartheid-Era Bantustans* (London, 2017). See also Shireen Ally and Arianna Lissoni (eds), 'Bantustan States', *African Historical Review*, 50 (2018).

<sup>24</sup> See Sifiso Mxolisi Ndlovu, 'Sowing the seeds of political mobilisation in Bantustans: Resistance of the Cession of the KaNgwane Bantustan to the Kingdom of Swaziland', *Southern Journal for Contemporary History*, 43 (2018), 43–69; William Beinart 'Beyond "Homelands": Some Ideas about the History of African Rural Areas in South Africa', *South African Historical Journal*, 64 (2012), 11; Shireen Ally, 'If You Are Hungry, and a Man Promises You Mealties, Will You Not Follow Him?' South African Swazi Ethnic Nationalism, 1931–1986', *South African Historical Journal*, 63 (2011), 414–30.

<sup>25</sup> Timothy Gibbs, *Mandela's Kinsmen: Nationalist Elites & Apartheid's First Bantustan* (Woodbridge, 2014), 6.

<sup>26</sup> Arianna Lissoni, 'Chieftaincy and Resistance Politics in Lehurutshe During the Apartheid Era', *New Contree*, 67 (2013), 63.

<sup>27</sup> One example is the field of education, which was improved after 'independence' from South Africa. See Linda Chisholm, 'Bantustan Education History: The "Progressivism" of Bophuthatswana's Primary Education Upgrade Programme (PEUP), 1979–1988', *South African Historical Journal*, 65 (2013), 403–20.

<sup>28</sup> South African Ambassador, Bophuthatswana to South African Director of Foreign Affairs, 8 April 1982, South African National Archives (SANA): BTS, 1 230 6 Vol. V. Mangope to Emery, June 1981, North West Provincial Archives, South Africa (NWP): OP/6/13/1 Vol. II.

<sup>29</sup> British Consular Visits Bophuthatswana, 23 July 1984, SANA: BTS, 1 230 6 Vol. VII.

<sup>30</sup> Christian John Makgala, 'Botswana-Bophuthatswana Relations in the Context of Lucas Mangope's Quest for International Diplomatic Recognition, 1977-1994', *New Contree*, 86 (2021), 103. For more on Bophuthatswana's quest for recognition see Josiah Brownell Brownell, *Struggles for Self-Determination: The Denial of Reactionary Statehood in Africa*, (Cambridge, 2021). The topic is also discussed in Ron Nixon, *Selling Apartheid: South Africa's Global Propaganda War* (Johannesburg, 2015).

lobbying companies, all-expense paid trips for western politicians, and the presence of de facto embassies and trade missions in several western nations, the Bophuthatswana 'government' tried (and failed) to convince the world that a state which was made up of seven separate enclaves, had genuine independence from South Africa.

The development of the tourist sector in the Bantustans, and particularly the opening of Sun City in Bophuthatswana in 1979, was designed to further the territories' case for recognized independence. Pretoria hoped that by offering tax breaks and grants to large hotel chains, a degree of Bantustan development could be funded by the private sector and, in turn, offer greater legitimacy to their claim to independence.<sup>31</sup> This led to very close ties between the owners of hotel chains, the Bantustan governments, and Pretoria. The most infamous of these businesspeople was Solomon 'Sol' Kerzner, owner of Sun International, which held a monopoly on casino rights in Bophuthatswana and eventually all other Bantustans.<sup>32</sup> It is alleged that corruption was commonplace in this relationship, and Kerzner was eventually forced into a period of exile when a bribery scandal involving the illegal transfer of a large sum of money to Transkeian officials from Sun International emerged in late 1986.<sup>33</sup>

As Josiah Brownell argues, Kerzner and Mangope's 'interests aligned almost perfectly' as both sought ways to promote Bophuthatswana's legitimacy.<sup>34</sup> One way they attempted to do this was by attracting prominent performing artists, including Queen, Shirley Bassey, and Frank Sinatra, to Sun City with lucrative contracts. However, these blatant violations of the cultural boycott against apartheid South Africa led to the formation of the group Artists Against Apartheid, whose record 'Sun City' condemned the musicians who played there and eventually succeeded in significantly reducing the number of foreign artists who were willing to do so.<sup>35</sup>

Despite this international condemnation, Sun City was a popular draw for British expatriates. While the Bophuthatswana government always emphasized the equality between races in the territory, in reality, a colour bar still existed wherein 'skilled positions' were essentially reserved for white workers.<sup>36</sup> The prospect of making additional money through tips was particularly appealing to British casino staff as UK legislation prohibited them from accepting gratuities. Accommodation was also provided to these expatriate workers free of charge by Sun International. The flow of British workers to the territory was also facilitated by recruitment drives by the Bophuthatswana government, whose immigration office in London was allegedly funded by Sun International.<sup>37</sup>

While working at Sun City was already a lucrative endeavour, a small group of expatriates there attempted to make even higher financial gains through a scheme involving the use of a 'Las Vegas Cup'—a cylinder with a genuine R10 casino chip on the top but space underneath where R100 chips could be secretly slotted. The 'brains' behind the scheme—Bruce McLean—a US citizen supplied the cup to James Felix Anthony, a British national, who then colluded with a number of expatriate croupiers, pit bosses, and casino inspectors to steal considerable amounts of money from the casino.<sup>38</sup> However, Sun International and the Bophuthatswana officials became aware of the scheme, and twelve individuals were arrested for their roles in it on 11 December 1983.

<sup>31</sup> Jonathan Crush and Paul Wellings, 'The Southern African Pleasure Periphery, 1966-1983 691', *The Journal of Modern African Studies*, 21 (1983) 691.

<sup>32</sup> Brownell, *Struggles for Self-Determination*, 260.

<sup>33</sup> Brownell, *Struggles for Self-Determination*, 282.

<sup>34</sup> Brownell, *Struggles for Self-Determination*, 261.

<sup>35</sup> Brownell, *Struggles for Self-Determination*, 281.

<sup>36</sup> Jeffrey J. Sallaz, *The Labour of Luck: Casino Capitalism in the United States and South Africa* (Berkeley, 2009) 158.

<sup>37</sup> Sallaz, *The Labour of Luck*, 158.

<sup>38</sup> Geoffrey Allen, 'Mugging Led to Exposure of Casino Theft', *Rand Daily Mail*, 2 February 1984. McLean was not one of those arrested and was thought to be residing in South America at the time of the trial.

Name	Prison Category	Sentence	Conviction
David Sanders, 28 years old	B	Four Years Plus Three Years or a R6000 Fine	Theft of R9000 and Knowledge of Further R10,000
Michael Reeves, 28 years old	B	Four Years Plus Three Years or a R6000 Fine	Theft of R6900 and Knowledge of Further R12,000
Stephen Evans, 27 years old (wife Helen Evans released after the trial)	B	Four Years	Theft of R10,000
Michael Rothwell, 36 years old (wife Jo-Anne Rothwell released after the trial)	B	Four Years Plus Three Years or a R10,000 Fine	Theft of R10,000 and Knowledge of Further R15,200
Michael Bowman, 32 years old (partner Elaine Abbott released after the trial)	C	Five Years Plus Three Years or an R8000 Fine	Theft of R12,000 Plus Knowledge of R50,000
James Felix Anthony, 34 years old (partner Susan Shannon released after the trial)	C	Six Years Plus Three Years or a R10,000 Fine	Theft of R133,000
Thomas Charnock, 32 years old	C	Five Years Plus Three Years or a R6000 Fine	Theft of R8000 and Knowledge of Further R12,000
Christopher Giddings, 23 years old (US citizen)	B	Four Years Plus Three Years or a R6000 Fine	Theft of R10,200 <sup>a</sup>

<sup>a</sup> Weldon to UK Home Office, 28 August 1984, TNA: FCO/105/1724.

Prior to their trial, the US Vice-Consul spoke to Mr Magua, the solicitor representing three of the accused. While Magua had advised his clients to plead not guilty, it was alleged that the Bophuthatswana Public Prosecutor had indicated that, should all of the male accused plead guilty then there would be no evidence presented against the women.<sup>39</sup> In what the *Rand Daily Mail* described as a 'complex series of plea bargaining', the charges were dropped against the four women—who were all married to, or in a relationship with, one of the male accused—in return for the eight men pleading guilty.<sup>40</sup> The accused also claimed that they were led to believe that pleading guilty would result in lighter sentences.<sup>41</sup> However, this was not the case, and all of the accused were given long custodial sentences. As the table below explains, the number of years imprisonment, the level of fine, and prisoner classification were dependent on the nature of their involvement.<sup>42</sup>

While Britain had no formal representation in Bophuthatswana, the Vice-Consul in Johannesburg was able to visit them at Rooigrond Prison, where the Sun City Eight were held in custody on 15 December 1983 and 1 February 1984, along with the US Consul who visited Giddings.<sup>43</sup> Both officials felt that the Bophuthatswana prison authorities were

<sup>39</sup> Brant to FCO, 25 January 1984, TNA: FCO/105/1722.

<sup>40</sup> Allen, 'Mugging Led to Exposure'.

<sup>41</sup> Brant to FCO, 9 April 1984, TNA: FCO/105/1723.

<sup>42</sup> The biographical data used to produce this table was taken from Miller to FCO, 4 June 1984, TNA: FCO/105/1724; L.J. Weldon, Vice-Consul, Johannesburg to UK Home Office, 28 August 1984, TNA: FCO/105/1724; Allen, 'Mugging Led to Exposure'; Geoffrey Allen, 'Tears as Three Women are Discharged: Sun City Casino Four Plead Guilty to Theft', *Rand Daily Mail*, 27 January 1984.

<sup>43</sup> Ray Whitney, Parliamentary Under-Secretary of State, FCO, to Ray Powell, MP, 28 February 1984, TNA: FCO/105/1691.

'anxious to ensure that the prisoners receive the best available treatment',<sup>44</sup> possibly as a means of ingratiating themselves and providing a positive image of their territory to the visiting diplomats with a view to gaining international recognition. The Vice-Consul was satisfied that the prisoners were in 'good physical condition, clean and dressed in their own casual clothes'.<sup>45</sup> There were, however, some complaints from the detainees about overcrowding and that the prison food was not 'readily acceptable to the European palate'. Again, the prison authorities appeared keen to be seen to be acting in a sympathetic way to the prisoners, agreeing to consider their request to change the prisoners' food to a 'bread-based diet'.<sup>46</sup>

In the run up to the trial, the families of the accused in Britain wrote to MPs and government ministers asking for help and emphasizing their concern for the detainees. A letter was also allegedly smuggled out of prison and sent to *The Times* in London, which made accusations of serious mistreatment (including attempted sexual assault) and very poor conditions in Rooigrond Prison.<sup>47</sup> Colin Brant, the British Consul-General in Johannesburg, believed the letters were a desperate attempt by Mr Bloementhorpe, the solicitor who had represented the majority of the accused and advised them to plead guilty, to 'salvage something from the wreck by persuading relatives to put pressure on ministers'.<sup>48</sup>

While arrangements for consular visits had previously been able to be coordinated through the Commissioner of Prisons, a relatively low-level official, the Bophuthatswana government decided that the British and US diplomats would need to seek clearance from its Ministry for Foreign Affairs (MFA) from 6 March 1984.<sup>49</sup> Both governments were unwilling to sanction this as they feared it could be construed as recognition of Bophuthatswana's independence, something which it was official policy in both countries to avoid.

The situation was also compounded by the continued complaints from the detainees' friends and families over prison conditions. Elaine Abbot and Susan Shannon contacted the FCO's Consular Department on 12 March with claims that the conditions the prisoners were being held in had 'deteriorated alarmingly'.<sup>50</sup> They complained of food shortages, physical attacks by the wardens and other prisoners, and that the men were 'covered with lice and sores'.<sup>51</sup> Concurrently, the *Rand Daily Mail* reported that Bowman had been on an 18-day hunger strike over prison conditions and his belief that his sentence and verdict were unfair.<sup>52</sup>

Nigel Thorpe, in the FCO's Southern Africa Department, felt that the Bophuthatswana authorities were deliberately using the situation in an effort to 'exploit it to their advantage' as they sought to achieve a degree of recognition from Britain.<sup>53</sup> Thorpe recommended that an approach be made to the South African DFA for help in persuading the Bophuthatswana authorities to revert back to the previous understanding whereby access was arranged directly with the prison authorities. The DFA was one of the most moderate

<sup>44</sup> Whitney to Powell, 28 February 1984, TNA: FCO/105/1691.

<sup>45</sup> Whitney to Powell, 28 February 1984, TNA: FCO/105/1691.

<sup>46</sup> Whitney to Powell, 28 February 1984, TNA: FCO/105/1691.

<sup>47</sup> Brant to FCO, 26 January 1984, TNA: FCO/105/1722; 'Britons Sent to Jail for Casino Fraud', *The Times*, 18 February 1984.

<sup>48</sup> Brant to FCO, 7 March 1984, TNA: FCO/105/1722.

<sup>49</sup> Aid Memoire from Bophuthatswana Government to South African Government, 16 March 1984, SANA: BTS 1 230 6 Vol. VI.

<sup>50</sup> Fleur Fraser, FCO Consular Department, to T. W. Llewelyn, FCO Consular Department, 12 March 1984, TNA: FCO/105/1722.

<sup>51</sup> Fraser to Lacey, 12 March 1984, TNA: FCO/105/1722.

<sup>52</sup> Geoffrey Allen, 'Sun City Fraud – Two Actions Lost', *Rand Daily Mail*, 10 March 1984, 2.

<sup>53</sup> Thorpe to Leahy, 7 March 1984, TNA: FCO/105/1722.

or *verligte* of the NP government ministries,<sup>54</sup> and British officials had a pre-existing relationship with Foreign Secretary Roelof Frederick 'Pik' Botha, owing to the active role South Africa and Britain played in the negotiations which brought the white minority government in Zimbabwe to an end.<sup>55</sup> However, Thorpe emphasized that the South African government might not wish to help Britain with a problem deriving from its refusal to recognize Bophuthatswana. Thorpe also believed that working closely with US officials would give them the best chance of success.

The British Embassy contacted the DFA on 13 March 1984.<sup>56</sup> While they waited for a response, however, the campaign led by the friends and families of the prisoners began to gain traction, and Foreign Secretary Geoffrey Howe was concerned that 'the FCO's handling of this affair' would 'be criticised'.<sup>57</sup> In this context, and having received a 'discouraging' informal response from the South African DFA regarding the request to help, the FCO felt it was 'urgent' to 'establish at first hand the circumstances in which the prisoners are held'.<sup>58</sup> For these reasons, British representatives in South Africa were 'exceptionally' given the authority to 'make an informal and oral' approach to the Bophuthatswana MFA to request continued consular access along the lines used previously. It was to be emphasized that this approach was 'motivated by humanitarian considerations' and if the question of recognition was raised by the Bophuthatswana authorities, it should be made clear that this request had 'no wider political implications for our policy of non-recognition'.<sup>59</sup> Nonetheless, this modification in approach is indicative of the pressure on the FCO that the friends and families of the prisoners were able to generate through their campaign in Britain.

By 27 March, two weeks had passed since the British officials had contacted the South African DFA over the matter, and they were yet to receive an official response. Concurrently, the friends and family of the detainees were 'mounting an effective campaign' which made it difficult for the FCO to 'justify' their 'apparent inaction'.<sup>60</sup> They even contacted the Prime Minister directly, which saw Downing Street taking an interest in the saga.<sup>61</sup> As a result, there was far more pressure on the British authorities to act than their US counterparts, particularly as seven of the eight prisoners were British citizens. Additionally, the jailed US citizen, Christopher Giddings, had actually been brought up in the UK by his British mother, Michelle Bould, who had divorced his American father when he was one year old. While he had never applied to change his citizenship, he had leave to remain in Britain.<sup>62</sup> Giddings had no contact with his father, and the bulk of 'campaigning' for him was undertaken by his mother in Britain, who wrote to her local MP and even the Prime Minister,<sup>63</sup> whose Private Secretary replied on her behalf.<sup>64</sup> In response to pressure

<sup>54</sup> Vineet Thakur, 'Foreign Policy and its People: Transforming the Apartheid Department of Foreign Affairs', *Diplomacy & Statecraft* 26 (2015), 520. *Verligte* is an Afrikaans term which was used to describe the more liberal elements of the NP literally meaning 'enlightened' in contrast to more right-wing reactionary elements who were referred to as *verkrampste*.

<sup>55</sup> See Sue Onslow, 'The South African Factor in Zimbabwe's Transition to Independence', in Onslow, *Cold War in Southern Africa*, 110–29.

<sup>56</sup> British Ambassador Ewan Ferguson to FCO, 23 March 1984, TNA: FCO/105/1722.

<sup>57</sup> Howe to Pretoria, 12 March 1984, TNA: FCO/105/1722.

<sup>58</sup> Thorpe to Pretoria, 16 March 1984, TNA: FCO/105/1722.

<sup>59</sup> Thorpe to Pretoria, 16 March 1984, TNA: FCO/105/1722.

<sup>60</sup> FCO to Cape Town, 27 March 1984, TNA: FCO/105/1722.

<sup>61</sup> David Barclay, Private Secretary, Downing Street, to Roger Bone, FCO, 14 March 1984, TNA: FCO/105/1722.

<sup>62</sup> Weldon, 'Detainees in Bophuthatswana', 2 February 1984, TNA: FCO/105/1722.

<sup>63</sup> F.J. Fraser to Llewelyn, 13 April 1984, TNA: FCO/105/1723; Bould to Thatcher, 14 May 1984, TNA: FCO/105/1724.

<sup>64</sup> D. Barclay to Bould, 19 April 1984, TNA: FCO/105/1724. While the US Consulate did provide some assistance to Giddings, it appears Bould focussed her efforts to help her son on British officials and even enquired about him obtaining full British citizenship and returning to the UK on completion of his sentence. Giddings had, at one stage, also hoped it might be possible to complete his sentence in a British prison. See Weldon to

from Downing Street, the FCO requested that British officials make another approach to the South African DFA.<sup>65</sup> This demonstrates the tension between these two government offices and also their differing priorities, particularly when it came to relations with South Africa. Downing Street was far more concerned with domestic considerations and the benefits of maintaining profitable trade links with Pretoria, while the FCO was wary of taking action which could further isolate Britain in the Commonwealth and the UN, which were increasingly pushing a tougher anti-apartheid agenda.

Families of the accused were also starting to think outside the box in their efforts to help their incarcerated relatives. Elaine Abbott met with Conservative MP Peter Emery as part of her efforts to help her partner, Bowman.<sup>66</sup> While it was clear to Abbott that Emery was 'pro-Bophuthatswana', she did feel his contacts there, in particular with Sun City's owner Sol Kerzner, could prove useful and passed this on to the FCO's Consular Department. Kerzner had recently unsuccessfully attempted to take civil action against ten of the original accused who had previously worked for him for R3.4 Million.<sup>67</sup> Bowman's parents claimed that, should the prisoners now help Kerzner with his subsequent efforts to claim the money from Sun International's insurers, he might be able to use his influence over the Bophuthatswana government to secure an early release for the prisoners.<sup>68</sup>

When Abbott met Emery again, he attempted to shift the blame to the FCO, having spoken to a contact in Bophuthatswana. He claimed that it was not the case that the Consul-General in Johannesburg 'could not obtain access to the prisoners, but that he would not'.<sup>69</sup> Emery also referred to the protocols that the British government placed on Mangope when he visited the UK and, in what was apparently a quote from the Chief Minister, told Abbott that 'if the British now wish to be formal (over travel arrangements) then we shall be formal too'.<sup>70</sup>

In his analysis of this conversation, Thorpe stated that he was now sure, as many in the FCO had first thought, 'that the Bophuthatswana authorities view this as a political issue' which they can use to 'exact concessions' in their quest for recognition of the territory's independence. This hypothesis was strengthened further when the South African DFA eventually replied to Britain's request for help on 28 March.<sup>71</sup> The South African DFA had contacted the Bophuthatswana MFA and received an Aid Memoire in response from Bophuthatswana's Ambassador to South Africa, Mr Seane, on 21 March.<sup>72</sup> This text stood by the position that 'consular access would be granted on receipt of a request by the Bophuthatswana Department of Foreign Affairs'.<sup>73</sup> Seane also used his message as an opportunity to convey Bophuthatswana's anger at the 'humiliation meted out to President Mangope' due to the visa protocols Britain placed on him when travelling to the UK.<sup>74</sup> This involved having to present himself in person at the British Consulate in Johannesburg and make promises not to act in a way that could embarrass the British government while in the UK.

Home Office, 29 August 1984, TNA: FCO 105/1724: R.J. Miller to Fraser, 26 March 1984, TNA: FCO/105/1722.

<sup>65</sup> Varcoe to Pretoria, 27 March 1984, TNA: FCO/105/1722.

<sup>66</sup> Fraser to Atkinson, 27 March 1984, TNA: FCO/105/1722.

<sup>67</sup> Allen, 'Sun City Fraud' – Two Actions Lost'.

<sup>68</sup> Brant to Wellington High Commission, 21 March 1984, TNA: FCO/105/1722. It is unclear if any help was given by the accused but Kerzner was eventually able to receive R3.2 Million from his insurers. See Brant to FCO, 20 December 1984, TNA: FCO/105/1724.

<sup>69</sup> Thorpe to Varcoe, 28 March 1984, TNA: FCO/105/1722.

<sup>70</sup> Thorpe to Varcoe, 28 March 1984, TNA: FCO/105/1722.

<sup>71</sup> Ferguson to FCO, 29 March 1984, TNA: FCO/105/1722; Aid Memoire and Annexure Handed to Mr D Fall, First Secretary of the British Embassy, Cape Town, 28 March 1984, SANA: BTS/1/230/6 Vol.VI

<sup>72</sup> Aid Memoire Received from Ambassador Seane of Bophuthatswana, 21 March 1984, SANA: BTS/1/230/6.

<sup>73</sup> Aid Memoire Received from Ambassador Seane of Bophuthatswana, 21 March 1984, SANA: BTS/1/230/6.

<sup>74</sup> Aid Memoire, Cape Town, 28 March 1984, SANA: BTS/1/230/6 Vol. VI.

With all other approaches having failed, Sir John Leahy, the Deputy Under-Secretary of State for Africa and the Middle East, and Jeremy Varcoe, Head of the FCO's Southern African Department, met Emery on 29 March and agreed to make concessions regarding the visa protocols.<sup>75</sup> Mangope and his Foreign Minister would no longer have to present themselves in person at the British Consulate and would instead be permitted to send a junior official in their place.<sup>76</sup> In return, the FCO sought consular access to the prisoners on the basis that had been used previously involving the prison authorities rather than the Bophuthatswana MFA.<sup>77</sup>

While Mangope was willing to compromise regarding consular access to the prisoners at this stage,<sup>78</sup> Peter Emery claimed, having met with him in early April 1984, that he was 'concerned at complaints and allegations' made by the prisoners.<sup>79</sup> He emphasized that the prison diet was virtually identical to that of white prisoners in South Africa, so the claims that it was not 'suitable' for Europeans were untrue. Nonetheless, on 5 April, Michael Bowman—who had previously been reported to be on hunger strike—collapsed.<sup>80</sup> The Bophuthatswana authorities sent a message to the British Ambassador via the South African DFA, relaying what had happened.<sup>81</sup> It was claimed that Bowman's condition was so serious that it might be wise for him to be under the care of British representatives in South Africa before returning to Rooigrond Prison once recovered.<sup>82</sup> The FCO was 'willing to accept this' but thought it was more 'desirable to repatriate him to the UK for treatment'. Failing that, it would need to be ensured that the Bophuthatswana authorities provided the necessary treatment. Geoffrey Howe requested that the ambassador relay this message to the South African DFA; however, while they had previously acted as a conduit for messages to and from the Bophuthatswana authorities on this occasion, they refused.<sup>83</sup> Due to the 'humanitarian nature' of this issue, Howe gave the Johannesburg Consulate authority to contact the Bophuthatswana representative there, or if that failed, the Bophuthatswana MFA directly.

Chris Hobbs, the British Vice-Consul in Johannesburg, travelled to Bophuthatswana on 7 April as part of the deal negotiated by Emery. Prior to visiting the prisoners, he was 'summoned' to meet Mangope and Chief Justice Malcolm Theal-Stewart. He was told that Mangope had visited Bowman personally, and he agreed to end the hunger strike provided he could have a retrial or be deported.<sup>84</sup> Mangope did, however, warn Hobbs that if any of the other detainees went on hunger strike, he would 'not be intimidated' into providing a retrial and would 'if necessary have them force fed'.<sup>85</sup> The Chief Justice was, however, said to be 'most concerned about any complaints or maltreatment' of the detainees and promised that surprise inspections would be used. This was in light of a reported assault on Giddings, which was being investigated. There was also an admission that 'complaints about lice and cockroaches had been justified', but the authorities were trying to improve this with a quarterly disinfestation programme.<sup>86</sup> Clearly, while some aspects of the claims made by the detainees through their friends and families were exaggerations and fabrications, the conditions in Rooigrond Prison were very poor.

<sup>75</sup> Varcoe to Emery, 29 March 1985, TNA: FCO/105/1722.

<sup>76</sup> Howe to Pretoria, 29 March 1985, TNA: FCO/105/1723.

<sup>77</sup> Varcoe to Private Secretary, 30 March 1984, TNA: FCO/105/1723.

<sup>78</sup> Howe to Johannesburg Consulate, 5 April 1984, TNA: FCO/105/1723.

<sup>79</sup> Varcoe to Atkinson, 4 April 1984, TNA: FCO/105/1723.

<sup>80</sup> Brant to FCO, 9 April 1984, TNA: FCO/105/1723.

<sup>81</sup> Thorpe to Squire, 9 April 1984, TNA: FCO/105/1723.

<sup>82</sup> Howe to Cape Town, 6 April 1984, TNA: FCO/105/1723.

<sup>83</sup> Howe to Cape Town, 6 April 1984, TNA: FCO/105/1723.

<sup>84</sup> Brant to FCO, 9 April 1984, TNA: FCO/105/1723.

<sup>85</sup> Brant to FCO, 9 April 1984, TNA: FCO/105/1723.

<sup>86</sup> Brant to FCO, 9 April 1984, TNA: FCO/105/1723.

Hobbs visited Bowman in the hospital and reported that he had indeed agreed to end his hunger strike and that his 'present condition presents no immediate concern'.<sup>87</sup> Bowman claimed that he had not been involved with the fraud, but had been advised by his own solicitor and the Bophuthatswana attorney general that a guilty plea would lead to a reduced sentence. His hunger strike had, in part, been motivated by a general sense of depression while in prison. As a Category C prisoner, he was not allowed as many hours of exercise or reading material as the other detainees, which he had found challenging. However, Hobbs reported that Bowman's spirits were greatly lifted by the chance of a retrial.

Hobbs' experience meeting the other prisoners was also enlightening. Despite the many complaints about the diet, Hobbs felt the prisoners were 'fit and healthy'.<sup>88</sup> While one of them had lost weight, another had put two kilograms on after their rations had been supplemented with bread and milk. Hobbs found the prisoners themselves to be openly hostile to the guards, the Bophuthatswana government, and himself. There was considerable anger over the length of their sentences, which they contended was due to 'political reasons and were designed to force HMG to recognise Bophuthatswana'.<sup>89</sup> Hobbs was concerned that the prisoners 'unwillingness to cooperate' with the guards 'could well result in serious confrontation'. Major Pienaar, the Deputy Commissioner of Prisons, who was accompanying Hobbs, explained that the warders were 'unfamiliar with such aggressiveness in their own prisoners and had not yet discovered how to handle the situation'.<sup>90</sup> Shortly before leaving, Anthony warned Hobbs that, should the news they were awaiting regarding a retrial be unsuccessful, then all prisoners planned to go on hunger strike. After reading Hobbs' observations, Thorpe contended that while we must 'show compassion if not sympathy' towards the prisoners, the FCO also needed to 'be wary of misrepresentation' of their conditions in an effort to pressure the British and Bophuthatswana authorities to hasten their deportations.<sup>91</sup> He stated that it was clear that the friends and families of the accused had 'mounted an effective campaign' although it had not been 'wholly honest' and, according to the evidence available, the prisoners were treated no worse than they would be in prison in many other countries.<sup>92</sup> Richard Thomas, at the Johannesburg Consulate, contended that this should give the FCO 'some ammunition with which to withstand the onslaught' of the prisoners' friends and relatives in the UK.<sup>93</sup> Thomas was also greatly relieved that the 'problem of access' was resolved, which would make the 'handling of this case' more 'straightforward'.<sup>94</sup>

However, the straightforward nature of access did not last long. The US Consul-General had also been given access to Giddings on the same conditions as their British counterpart. However, when the Johannesburg Consulate attempted to organize another visit, he was told by Major Pienaar that access on these terms had been a 'one-off concession'.<sup>95</sup> There were concerns that this might also apply to British access, and the British Consul-General felt that this ran counter to what Emery had told them. Brant suggested approaching Emery for clarification, but Howe thought it was best to 'confirm it by experience', so he asked Brant to make a request to visit the prisoners once again via the prison authorities.<sup>96</sup>

This request was duly rejected, and the Consulate staff were essentially back to square one regarding access to the prisoners. The FCO attempted to make contact with Emery for assistance once again but when they were met with silence the Consulate relayed a message

<sup>87</sup> Brant to FCO, 9 April 1984, TNA: FCO/105/1723.

<sup>88</sup> Brant to FCO, 9 April 1984, TNA: FCO/105/1723.

<sup>89</sup> Brant to FCO, 9 April 1984, TNA: FCO/105/1723.

<sup>90</sup> Brant to FCO, 9 April 1984, TNA: FCO/105/1723.

<sup>91</sup> Thorpe to Squire, 9 April 1984, TNA: FCO/105/1723.

<sup>92</sup> Thorpe to Whitney, 11 April 1984, TNA: FCO/105/1723.

<sup>93</sup> Thomas to Atkinson, 9 April 1984, TNA: FCO/105/1723.

<sup>94</sup> Thomas to Atkinson, 9 April 1984, TNA: FCO/105/1723.

<sup>95</sup> Brant to FCO, 11 April 1984, TNA: FCO/105/1723.

<sup>96</sup> Howe to Brant, 13 April 1984, TNA: FCO/105/1723.

to Mangope through another unnamed source.<sup>97</sup> In addition to going back on his word to the British government, Mangope also reneged on his promise to give Bowman a retrial as he felt he had 'been blackmailed' and 'did not have all the facts' when he made this offer.<sup>98</sup> It appears that Bowman lied to Mangope about his conviction, claiming it was related to evidence in a diary. However, the Chief Justice sent signed statements by Bowman and records of the trial to the Consulate, indicating that there had been no mention of a diary.<sup>99</sup> While there had been an initial delay in contact from Emery, he phoned Leahy on 8 May to explain that he had 'persuaded President Mangope and his Foreign Minister to carry through with procedures earlier agreed'.<sup>100</sup> However, in return, Mangope sought the same changes to the visa protocols for his entire cabinet, which totalled 21 people. The FCO agreed to meet this additional demand, and visits were able to resume on 30 May.<sup>101</sup>

Despite these concessions, the FCO and diplomats in South Africa continued to be criticized by the prisoners' friends and families for their perceived lack of action in letters to MPs and ministers. In total, 27 letters were sent to MPs, seven to the Prime Minister, and five to the FCO, focusing, for the most part, on the government's apparent inaction.<sup>102</sup> Staff at the British Consulate in Johannesburg were clearly growing tired of these criticisms and sent a forthright letter to the Consular Department. This demonstrates the tension that can develop between diplomats and their home government when priorities differ slightly. In this case, domestic considerations were the driving force for decisions made by officials based in London who sought to placate the friends and families of the accused. In contrast, British officials in South Africa felt the Sun City Eight were taking up an unnecessary amount of their work.

In this letter, Richard Thomas stated his concern over the line regularly used in response to complaints from the detainees' friends and families that 'the protection we can afford to British nationals' in Bophuthatswana 'is very limited' as he claimed this was both inaccurate and a draw for additional criticism.<sup>103</sup> He argued that, contrary to offering limited help, the complexities of this case had actually seen the detainees receive 'a greater level of protection' than they would have been afforded had they committed their crimes and been jailed in South Africa. Thomas contended that staff from the Consulate had visited the prisoners three times in four-and-a-half months, been instrumental in getting the Chief Justice to visit the prison regularly, and secured concessions over their diet. Indeed, Thomas made the point that a member of the Consulate staff had even spoken directly to 'President' Mangope. Thomas sarcastically remarked, 'oh that [imprisoned anti-apartheid activists] David Rabkin and Maureen Smith', who both had connections to Britain, had 'been so lucky to have their cases dealt with at Head of Government level'.<sup>104</sup>

R.J. Miller at the British Consulate in Johannesburg produced a report on his 30 May visit, which was also quite revealing. The aggression shown by the prisoners to both the Consulate staff and their warders had ceased. Anthony, who appears to have been the ring-leader, admitted to Miller that their disruptive behaviour had been part of a plan to cause 'so much commotion they would be able to secure their early release'.<sup>105</sup> Linked to this, Anthony revealed that they had gathered material which would reveal tax evasion and

<sup>97</sup> Brant to FCO, 26 April 1984, TNA: FCO/105/1723.

<sup>98</sup> F.J. Fraser, Consular Department, File Note 16 April, TNA: FCO/105/1723.

<sup>99</sup> D. Pole Registrar, Bophuthatswana Supreme Court, to E J. Senne, Bophuthatswana Secretary for Foreign Affairs, 9 April 1984, TNA: FCO/105/1723.; *The State v Felix Anthony and Others*, 20 February 1984, NWP/A: OP/6/13/1 Vol. IV.

<sup>100</sup> FCO to Pretoria, 10 May 1984, TNA: FCO/105/1723.

<sup>101</sup> Thorpe to Leahy 1 June 1984, TNA: FCO/105/1724.

<sup>102</sup> Atkinson to Thomas, 12 June 1984, TNA: FCO/105/1724.

<sup>103</sup> Thomas to Atkinson, 4 May 1984, TNA: FCO/105/1723.

<sup>104</sup> Thomas to FCO, 19 July 1984, TNA: FCO/105/1724.

<sup>105</sup> Miller to Atkinson, 4 June 1984, TNA: FCO/105/1724.

bribery of officials at Sun City, which ‘they threatened to pass to the media’.<sup>106</sup> While it is unclear how strong this evidence was, or whether Anthony and the other inmates should be taken at their word, it has, as discussed earlier, subsequently become clear that there was a significant level of corruption in Bophuthatswana and that Sun International had considerable influence over several Bantustan governments.<sup>107</sup> Nonetheless, after Mangope visited them personally, made it clear that he would not be intimidated, and warned that if the behaviour continued, there would be no chance of early release, the prisoners appeared to have accepted their situation with greater magnanimity.

Despite this period of relative calm, the Consulate was again forced to send a representative, John Dove, in July 1984 after another allegation of mistreatment of the prisoners was made by one of their relatives in the UK.<sup>108</sup> While the allegation turned out to be unfounded,<sup>109</sup> this proved not to be a wasted trip for Dove, who also held a meeting with Justice Theal-Stewart, who indicated to him that ‘deportation might be considered at some stage’ for the British detainees.<sup>110</sup> While a subsequent attempt to appeal against the sentences failed, on 5 December the *Rand Daily Mail* reported that the detainees’ legal team were hopeful they would be included in a list of ‘presidential’ pardons that were expected to be announced by Mangope the following day in his annual ‘independence’ speech’.<sup>111</sup> While a full pardon was not forthcoming, Mangope offered a ‘partial amnesty’.<sup>112</sup>

The British Consulate sought contact with Theal-Stewart to ascertain what a ‘partial amnesty’ would mean in practice, and Brant met him in Pretoria on 19 December 1984.<sup>113</sup> Theal-Stewart explained that one-third of the detainees’ sentences would be remitted from the total for good behaviour ‘where appropriate’. A further year would then be deducted as part of the amnesty proclaimed by Mangope. Once each prisoner had served one-third of their remaining sentence, they would be eligible for parole if the parole board recommended. All recommendations for parole also required Mangope’s approval. Under this formula, Evans and Giddings were eligible for parole at this point, with most of the others on four-year sentences to follow shortly; however, it was believed Rothwell might not be eligible due to poor behaviour, something it was felt would also be an issue with Anthony and Bowman.

Theal-Stewart explained that the Bophuthatswana government wanted to ‘get foreign nationals out of prison and out of the country as expeditiously as possible’.<sup>114</sup> While not stated explicitly, it is possible that this new desire to release foreign prisoners stemmed from the growing discontent in South Africa’s townships, which evolved into an uprising against apartheid and the implementation of a state of emergency in the country. While these protests began in the Pretoria–Witwatersrand–Vereeniging Triangle, they soon spread throughout the country, including to the Bantustans. Mangope responded in a particularly draconian manner, which, with the support of the apartheid regime, sought to crush any opposition to his rule.<sup>115</sup> In this context, it is possible that the Bophuthatswana authorities may have wished to rid themselves of the problem of foreign prisoners, who brought with them much external interest, while focussing their efforts—and prison space—on internal political dissidents.

<sup>106</sup> Miller to Atkinson, 4 June 1984, TNA: FCO/105/1724.

<sup>107</sup> Brownell, *Struggles for Self-Determination*, 282–293.

<sup>108</sup> Howe to British Embassy, Pretoria, 31 July 1984, TNA: FCO/105/1723.

<sup>109</sup> Thomas to FCO, 6 August 1984, TNA: FCO/105/1723.

<sup>110</sup> Brant to FCO, 11 October 1984, TNA: FCO/105/1724.

<sup>111</sup> ‘Pardon Likely for Jailed 7’, *Rand Daily Mail*, 5 December 1984, 2.

<sup>112</sup> Curran to Fraser, 14 December 1984, TNA: FCO/105/1724.

<sup>113</sup> Brant to FCO, 20 December 1984, TNA: FCO/105/1724.

<sup>114</sup> Curran to Fraser, 14 December 1984, TNA: FCO/105/1724.

<sup>115</sup> See Andrew Manson and Bernard Mbenga, ‘Bophuthatswana in the 1980s and the UDF in the Western Transvaal’ in *The Road to Democracy in South Africa*, Volume 4 [1980–1990] Second Edition (Oxon, 2025) 669–706.

Nonetheless, Mangope did not want to give the wrong impression to any would-be foreign criminals, so would not initially release the Sun City Eight 'scot-free'.<sup>116</sup> Theal-Stewart asked Brant if there was any way in which the UK could accept the prisoners, if paroled, for transfer to the UK under 'some kind of restricted and provisional liberty'.<sup>117</sup> This was something Theal-Stewart had actually discussed with Giddings' mother who was adamant that she had spoken to her local parole board which had agreed to 'accept him on such terms'.<sup>118</sup> Theal-Stewart also indicated that he had spoken to Sol Kerzner about the prisoners potential early release and while he had 'grumbled audibly at the prospect' he 'had not raised any serious objections', most likely because his insurers had recently agreed to pay the R3.2 Million he sought for losses from the fraud.<sup>119</sup> The fact this warranted mention is further evidence of the influence Kerzner had over Bophuthatswana politicians and lawmakers.

Theal-Stewart also provided Brant with a letter addressed to Geoffrey Howe from Bophuthatswana Minister of Foreign Affairs T.M. Molathwa. This further outlined the points made by Theal-Stewart but with specific reference to the Repatriation of Prisoners Act that the UK Parliament had just passed. Howe was invited to send a senior official to Bophuthatswana to discuss 'the feasibility of repatriating to Britain the various prisoners whom it is considered should be repatriated'.<sup>120</sup> The following February the *Mafikeng Mail*, a Bophuthatswana newspaper, had been made aware of this 'ticklish offer' to Britain.<sup>121</sup> It contended that this situation was 'a jigsaw puzzle which Britain finds difficult to solve' as it sought an end to the saga but was reluctant to negotiate directly with the Bophuthatswana authorities as this 'would be tantamount to a tacit recognition of the country'.<sup>122</sup>

Despite the risk of offering de-facto recognition E. Blitzer, the South African Ambassador to Bophuthatswana, reported that, a member of staff from the British Consulate in Johannesburg had visited the Bantustan on 20 February 1985 to, he believed, discuss this offer further.<sup>123</sup> British officials did not accept the terms offered but instead countered with their own offer on 12 March 1985 which involved the detainees placing themselves under 'voluntary probation' and paying a 'substantial' bond to the Bophuthatswana government guaranteeing their good behaviour.<sup>124</sup> This was rejected by the Bophuthatswana government, however, in November 1985, having served less than half of their sentences, Evans, Reeves, Sanders, Rothwell and Giddings were released and deported to Britain presumably with no specific parole conditions attached.<sup>125</sup> Bowman and Charnock were released in September 1986,<sup>126</sup> while Anthony, who as stated was the ringleader, and at times most difficult to handle of the convicts, was released on 20 October 1986, having served less than half of his 6-year sentence.<sup>127</sup> While a secret deal

<sup>116</sup> Curran to Fraser, 14 December 1984, TNA: FCO/105/1724.

<sup>117</sup> Curran to Fraser, 14 December 1984, TNA: FCO/105/1724.

<sup>118</sup> Brant to FCO, 20 December 1984, TNA: FCO/105/1724.

<sup>119</sup> Brant to FCO, 20 December 1984, TNA: FCO/105/1724.

<sup>120</sup> Molathwa to Howe, undated but attached to Brant to FCO, 20 December 1984, TNA: FCO/105/1724.

<sup>121</sup> 'SOS to Britain', *Mafikeng Mail*, 22 February 1985, SANA: BTS/1/230/6 Vol. VII.

<sup>122</sup> 'SOS to Britain', *Mafikeng Mail*, 22 February 1985, SANA: BTS/1/230/6 Vol. VII.

<sup>123</sup> E. Bitzer, South African Ambassador Bophuthatswana to South African Director-General Foreign Affairs, 26 February 1985, SANA: BTS/1/230/6 Vol. VII.

<sup>124</sup> Molathwa to Helen Evans, August 1985, NWPA: CN/13/2 Vol. I.

<sup>125</sup> Michael Hornsby, 'British Croupiers Jailed for Casino Cash Theft to be Freed and Sent Home', *The Times*, 20 November 1985.

<sup>126</sup> TNA, FCO/105/2273, Background Note for Reply to Written Parliamentary Question by Keith Best, 31 October 1986

<sup>127</sup> Background Note for Reply to Written Parliamentary Question by Keith Best, 31 October 1986, TNA: FCO/105/2273; Andrew Molefe, 'R134 000 Sun City Swindle: Last of "Famous Eleven" Released', *Mafikeng Mail*, 24 October 1986. It should be noted that Merseyside Police had contacted the Home Office to enquire about Anthony as they wished to speak to him in relation to similar crimes he was suspected to have committed in the UK. See R. Tanner, Home Office, to D. Carter, FCO Southern Africa Department, 14 September 1984,

may well have been made, it is more likely that by this point the Bophuthatswana authorities had extracted all possible concessions from the British government, and keeping these high-profile detainees imprisoned was now counterproductive, particularly as it was of far more pressing concern to manage the current political protests in the territory.

A number of conclusions can be drawn from this episode, some of which are specific to this case study while others are applicable to broader issues regarding the imprisonment of citizens in unrecognized states. In the case of Bophuthatswana, British officials were actually helped in the negotiations by the fact that Mangope's government put considerable efforts into lobbying British politicians. This meant that it had close relations with Peter Emery and allowed the Conservative MP to act as a 'middleman' in negotiations over consular access to the prisoners. Additionally, it appears that the Bophuthatswana government was acting independently of the South African government in trying to make political capital out of the Sun City Eight. While Pretoria would no doubt have been in favour of any efforts on the part of Bophuthatswana to gain greater international recognition—and by refusing to become involved essentially offered tacit support—it appears that the officials there were surprised and impressed by its government's scheming when it was drawn to their attention by contact from the British Embassy.<sup>128</sup> This article, therefore, makes a novel contribution to the emerging scholarship which emphasizes the degree of autonomy and agency the Bantustan 'governments' had. However, in this case, rather than using this to challenge the apartheid system, or offer tacit support to the liberation movement, as Mabuza did, it shows that Mangope was, in fact, willing to go further in his efforts to gain recognition for Bophuthatswana's independence without any explicit direction from Pretoria. This is clear evidence of the commitment certain Bantustan leaders had to the 'homeland' project.

This article also provides further evidence of the tension that existed between a somewhat *verligte* FCO and a more *verkrampste* Downing Street. The FCO was far more concerned about how any steps which could be considered as recognition of Bophuthatswana's independence would be received by the broader international community. In contrast, this appears to be of secondary importance to Downing Street, which prioritized domestic political concerns and placed tacit pressure on the FCO to take action to ascertain the prisoners' conditions after receiving a series of letters from their friends and families in Britain. This is indicative of the approach both offices of government had towards South Africa, with the FCO working to offset criticism from other Commonwealth countries for Britain's 'soft' approach to apartheid and attempting to develop relations with the ANC's leadership. In contrast, Downing Street remained highly suspicious of the ANC, which Thatcher once described as a 'typical terrorist organisation', preferring to promote gradual change in South Africa and prioritizing contact with the NP government and courting Black leaders who it considered to be more 'moderate' and were its preferred choice as the heirs for political power in the country.

The issues the British authorities faced regarding consular access are something which could easily be seen again in other unrecognized states. The main problem this created was a lack of concrete facts about the health and wellbeing of the prisoners. This was particularly pressing owing to a well organized campaign by the prisoners' friends and families in Britain. This caused tension between officials in London and the Johannesburg Consulate staff who had little sympathy with the prisoners whose complaints they found tiresome

TNA: FCO/105/1724. It also appears that Anthony's experience of prison in Bophuthatswana did not deter him from a life of crime and he has more recently been jailed for 'controlling prostitution for gain' in 2015 and has been tried for running a cannabis farm in 2021. See 'Pimp caught running brothel in Wirral for the second time jailed for 12 months' *Liverpool Echo*, 2 April 2015, Available at <https://www.liverpoolecho.co.uk/news/liverpool-news/pimp-caught-running-brothel-wirral-8973961> [Accessed 13 February 2025] and 'OAP pretended £400k cannabis farm was bouncy castle hire business', *Liverpool Echo*, 6 September 2021, Available at <https://www.liverpoolecho.co.uk/news/liverpool-news/oap-pretended-400k-cannabis-farm-21498653> [Accessed 13 February 2025].

<sup>128</sup> British Consular Visits Bophuthatswana, 23 July 1984, SANA: BTS/1/230/6, Vol. VII.

and demanding of a disproportionate amount of their time. Indeed, despite the fact Britain did not recognize Bophuthatswana, this campaign meant that the detainees received much greater attention from the Consulate staff than would have been the case if they had been jailed in a recognized state where diplomats could carry out their normal work.

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