

SAAKNOMMER: CC 482/85

DELMAS

1987-05-07

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

LUBBE OPNAMES

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COURT RESUMES ON 7 MAY 1987.

SEKWATI JOHN MOKOENA, d.s.s. (Through interpreter)

MR BIZOS : During the re-examination of accused no. 5, Mr Malindi, Your Lordship will recall that I attempted to hand in a pamphlet. By consent I would like to hand in as EXHIBIT DA9. It is the election pamphlet of the HNP. May I indicate that the only purpose for which I am handing it in is to be found on the obverse side and only for the purposes of the language. "Dit is waarop die NP afstuur. Besef u dat die Afrikaners dan vreemdelinge in hulle (10) vaderland sal wees, h vaderland wat bloedloos onder hulle uitverkoop is." That is the one passage and the one immediately afterwards "NP se woord nie meer geloofwaardig. Die tyd het gekom dat die Blankevolk sal sê: Die NP bewind het die uitverkooptes van ons en ons kinders se toekoms in h eie vaderland geword. Ons het ons beginsels en belange in sy hande gegee en hy het ons beginsels verrai en ons belange verpand." The admission is that it was distributed.

MR TIP : All the accused are in court today.

FURTHER EXAMINATION BY MR TIP : Mr Mokoena, you remember (20) that when we adjourned on Tuesday we had got to the stay where you were busy organising a meeting in connection with the proposed youth organisation in Boipatong? -- That is so.

Did such a meeting take place? -- Yes, it did.

Do you recall approximately when? -- The first weekend in January.

And I think you mentioned to His Lordship that the venue was the NG Church hall in Boipatong? -- That is so.

COURT : Is it January 1984?

MR TIP : January 1984. -- Yes. (30)

Was/...

Was this a well attended meeting? -- Not quite well.  
I would not say it was well, but it was attended.

You were present yourself? -- That is so.

What decisions were taken at the conclusion of this meeting? -- We agreed on forming a youth organisation which was names Boipatong Youth Organisation. We further agreed on forming an interim committee. There were certain people elected on that committee. I was one of the people elected to that committee. Ace Blaai was also one of the members, Shaudi. (10)

COURT : Is that his surname? -- No, that is his name. I cannot recall what his surname was. Stompie Maabe, Jabulani Khumalo. Those are the people who I can still remember who were elected to the interim committee.

MR TIP : Just on the question of the names of organisations. The name of the Youth Organisation in Bophelong, I wonder if you would repeat what it was called? -- Bophelong Youth Association was it named.

Did you at any time have knowledge of an organisation describing itself apparently as Bophelong Youth Congress?(20)  
-- No.

Coming back to the interim committee that was formed. Did that committee meet subsequent to the launch? -- Yes, that is so. We met on 21 January. The meeting was at my residence where the question of venue was discussed as to what are we going to do about a venue.

COURT : That is for the launch? -- Yes. There we agreed on writing applications requesting different church ministers for a venue. We then again at this meeting drafted a program which program was meant for the meeting to be held as soon(30)

as/...

as we knew where to go and hold the meeting, that is as soon as we have acquired a venue for this meeting.

MR TIP : Did that contemplated venue ever take place? --

No, it did not.

COURT : You mean it was never launched? -- As I already said that at the first meeting we had to form an interim committee. We were then later to draft a constitution and then later we were going to launch, but this did not materialise.

So, in fact there was never a Boipatong Youth Organisation? -- All that happened is that we agreed on a formation(10) of the organisation, but there were no elections.

But in your view was there an organisation called the Boipatong Youth Organisation or did it not exist? -- Yes, there was.

So, is it then the position, let we just get clarity, that we have an organisation which is led by an interim committee? -- That is what I am saying.

MR TIP : Just to clarify a further aspect of this. What was the purpose that the interim committee set itself when the first meeting at the first weekend in January 1984 took(20) place? -- The purpose of the interim committee was to draft the constitution for the organisation which would mean then the day of the launch. Then there was going to be elections for the committee members related to the organisation which was to be launched.

COURT : Was the constitution drafted? -- No, we did not succeed in drafting it.

MR TIP : Did the Boipatong Youth Organisation become an established and viable organisation? -- No, because members of this organisation did not in fact- as time went on lost (30) interest/...

interest.

What response in your observation was received from the youth of Boipatong to this proposed youth organisation? -- To me it appeared as if it was being accepted by the youth.

In August 1984, did the Boipatong Youth Organisation exist? -- No, it no longer existed at the time.

Approximately when did it cease to exist? -- Somewhere during the period of May.

Of 1984? -- Yes, that is so.

COURT : To what do you tie the non-existence of it? -- (10)  
After May 1984.

Yes, you have given me the date, but why do you say it ceased to exist after May? Why not make it June or why not make it April? -- By that I mean there was no meeting at all during that month.

Of the interim committee?-- Yes.

MR TIP : And just for clarity sake, no meetings in the months after 1984 either? -- No meetings at all.

I would like to turn to some of the documents which you have admitted were found in your possession. (20)

DISCUSSION BETWEEN COURT AND MR TIP REGARDING NUMBERING OF PAGES OF EXHIBIT AT7.

COURT : "How do we organise and mobilise," will be AT7(A), the next one which is headed "Boipatong Youth Organisation restricting youth on age limit" will be (B), the next one is the typed program, that will be (C) and the last one is "Problems facing the Youth." That will be (D).

MR TIP : Just to establish that we are not at cross-purposes, AT6 also consists of four pages and that is the document put to the witness Mohapi as EXHIBIT AT6 concerning the (30)  
protest/...

protest meeting on the 26th.

COURT : I think we have sorted this out because the page numbers on AT6 are numbered 1, 2, 3 and 4. So, we will have a different numbering here calling them A, B, C, D.

MR TIP : I would like you first of all just to look at page C, that is the typed page headed "Program". Do you have it?  
-- Yes.

And that is one of the documents found in your possession. Is that correct? -- Yes, that is correct.

When and where did you obtain this document? -- I re-(10)  
ceived this document on 14 January. This was at St Angus Wilgerspruit.

COURT : Where is this Wilgerspruit? -- It is in the district of Roodepoort.

MR TIP : And when you say 14 January, do you mean January 1984? -- That is so.

What is it a program of? -- It was a youth conference.

When and from who did you hear about this youth conference?  
-- If my memory serves me well, a week before the date of this conference I came to hear about this conference which was (20)  
to be held from a member of Bophelong Youth Association.

Do you still recall who that member was? -- Mosioa.

What was conveyed to you? What information, if any, was given to you in detail about what this conference would be about? -- No, no details were given by this person.

COURT : Did he say who organised it? -- No, except to say that it was a conference for youth organisations, he did not.

MR TIP : And did you decide to attend this conference? --  
Yes, I became interested in it.

What was your interest in it? -- My interest was to (30)

go/...

go and observe what was happening and what other youth organisations are doing in order to know what a youth organisation is to do.

And did you attend the conference? -- Yes, I did.

Do you recall at what stage of the proceedings you arrived there? -- On arrival there they were busy with the second session under the item 2 "Discussions".

And for clarity, that was then after - apparently after lunch on the first day, 14 January 1984? -- That is so.

Do you recall what was being discussed when you arrived? -- The directions of youth groups were being discussed. (10)

I would like you to look at page C of AT7 and you will see that there is a handwritten note next to that item on the typed - the typed item on that program. -- Yes, I see that.

"Popularisation of Freedom Charter transforming youths into democratic youths." Who made that note? -- I made the note.

Do you recall the context or the discussion that gave rise to your making that note? -- The speaker at the time (20) was delivering a speech on this item directions of the youth groups. I understood him to be saying on that that the direction which is to followed by the youth is that of democracy, which democracy according to the speaker was found in the Freedom Charter. He further made mention of the democratic values which can be found in the Freedom Charter. That is briefly how I understood his speech.

I would like you to look next to the following item on the same page, item C "National Co-ordination." And there follows again a handwritten note. "Should be discussed by (30) the regional organisation." -- Yes, I do have it in front

of me.

Again would you indicate whether you recall the contents or the discussion that led to your making that note? -- The speaker here was saying at the present moment there is no way which justifies discussing a national co-ordination and then in his speech he made reference to this, saying this point is to be referred to the regional organisation which will then later form a regional structure to deal with this issue. That is as far as I remember the speech.

Would you please turn to page A of EXHIBIT AT7. That(10) is the one with page 2 written on it. -- Yes, I have got it.

In the middle of the page you will see a note reading or perhaps I should read the whole paragraph in the middle of that page "A seminar be held to discuss burning issues in various areas. (a) Leadership training (b) Problems of unstructured organisations (c) Six people to work on the seminar (d) Seminar on 5/2/84 at Lence.

COURT : How is it spelt here? -- To me it is not clear. It looks like L-e-n-c-e.

Is that Lence on the south/western side of Johannes-(20) burg? -- That is so.

MR TIP : Do you recall what this paragraph dealt with? When was this seminar? -- This was a proposal made to the conference in the sense that it was to be discussed as to how to form a regional structure.

Could you explain entry (c) there Six people to work on the seminar. What was that about? -- This was reference to the Transvaal regional at the time of the workshops discussions where the people, that is the people involved with the Transvaal region decided that they are going to choose(30)

six/...

six people who will look at the formation of the seminar which seminar was to be held on this date which is appearing on the document there.

COURT : The date is 5/2/84? -- That is so.

I may have not been listening but I am totally in the dark at the moment what we are talking about. Who are these people that are saying these things? Do not give me names. I mean, is it an organisation or what is it? -- After the second session on that other discussion there of the seminar the seminar was broken into groups according to provinces(10) This that I am referring to here is what was discussed in the group of the province in which I was present which group involved myself.

Who organised this seminar? -- While being there I made enquiries as a result of which I came to know that as a result of the decision of the COSAS in May 1982 about the age limit or the qualifications of membership to qualify as a member of COSAS it was decided by those who in fact did not qualify to retain their membership with COSAS that they are now forming youth organisations, which resulted in the formation of orga-(20) nisations later to the seminar. That is the people that did not qualify with those who were no longer at school.

MR TIP : Did you learn who in fact organised this particular seminar at Wilgerspruit? -- Yes, it was - what I learnt there was that the people whose membership ceased after the decision by COSAS then formed a committee which committee then was responsible for the holding of this seminar.

Coming in fact now to the six people who were going to work on the seminar proposed for 5 February of 1984. Were six people elected onto that project? -- Yes, they were. (30)

Do/...

Do you recall who those persons were? -- I was one of them. Rachid was also there. Kgauhelo.

COURT : Is that his surname or his name? -- That is his name.

You do not know his name? -- No.

Of Rachid you also do not know the surname? -- No.

And others whom I cannot remember now.

MR TIP : Did you remain at the seminar at Wilgerspruit until its conclusion on 15 January 1984? -- That is so.

Pursuant to you having been elected to this group of six, did you attend any meetings?--After this conference (10) there was a meeting which meeting I attended. This meeting was held on 18 January 1984.

COURT : That is a meeting of this group of six? -- That is so.

Where was it held? -- Khotso House.

MR TIP : Would you turn to EXHIBIT AT9. That also is a document found in your possession. Is that correct? -- That is correct.

And admitted to be in your handwriting? -- Yes, that is correct.

Where did you make the notes recorded on this document?(20)  
-- At the meeting I have just spoken about.

On 18 January 1984? -- That is so.

COURT : Were you the chairman? -- No.

Or the secretary? -- No.

MR TIP : What was the purpose of that meeting? -- This meeting was held in preparation for the seminar we agreed upon at Wilgerspruit.

For clarity sake, the seminar proposed for 5 February. Is that correct? -- That is so.

I am not going to ask you to comment in detail on the(30)

note/...

note set out in EXHIBIT AT9, but could you indicate to His Lordship briefly to what extent the actual subject matter was considered that might be dealt with at the seminar on 5 February? -- As set out on this document before me there are certain points which are being set out on the document which points were meant to be discussed at this seminar, that this seminar will have to pay attention to them as they are. We in this meeting in preparation of the seminar did not take any decision or resolve to anything pertaining to the points given on this document. (10)

If you turn to the second page of this document the last line reads "meeting next week on Tuesday, 24th." -- Yes, I see that one.

What was that to be a meeting of? -- Still a committee meeting was to be held on that date.

Committee meeting of the group working towards the seminar? -- That is so.

Did you or do you know whether that meeting took place, that is the one on the 24th? -- No. By saying no I mean I did not come to know whether this meeting was held or not. (20)

COURT : This seems to be an agenda, this exhibit. Well, it is headed "Agenda". The contents also appear to be an agenda. Is that correct? -- Agenda for which meeting now?

It says it is an agenda and it is in your handwriting. Is it not an agenda? -- No, this was not an agenda. This is where things that were to be put in front of this meeting on the 18th - by that I mean things that were to be discussed by the meeting on the 18th.

January? -- What I mean is, it is not that I prepared this as an agenda for the meeting. What I am saying is (30)

this/...

this emanated at this meeting which was held on the 18th.

I was about to suggest that this is an agenda prepared for the seminar? -- What I am saying is, the points given on this document here emanated at the meeting of the 18th which was held by the committee in preparation for the seminar of the 5th and this was laid down and in fact discussed and agreed upon by this committee that these as laid down on this document were to be attended to or looked into by the youth organisations which will be present at the seminar of the 5th. (10)

MR TIP : Coming back to the meeting of the 24th. You say you do not know whether it took place. Is it correct that you did not attend the meeting on the 24th? -- Yes, I did not attend this meeting, the reason being that at the meeting of the 18th I made it clear to my co-members of the committee that I will not be able to go on and be present at the seminar which was to be held on the 5th. As a result then I did not attend this meeting.

COURT : Could you just look at the second page of this exhibit. The third line from the bottom. It starts with (20) "mandate". I think it is "mandate". What is the next word? -- It is written in brackets (decisions on every aspect).

Just above that we have a date, 4 February. Is the date of the seminar not to be 4 February? -- At the seminar in Wilgerspruit the 5th was the date proposed for the next seminar but while we were holding our meeting as a committee we decided on the 4th as a suitable date for the seminar.

MR TIP : After the meeting of 18 January 1984, did you attend any further meetings of this working committee? -- No, I did not. (30)

You/...

You had mentioned to His Lordship earlier this morning of a meeting of your interim committee in Boipatong held on 21 January 1984. Do you recall that? -- Yes, I do.

And you mentioned the letter sent to church persons in respect of a venue? -- That is so.

Would you turn the page to EXHIBIT AT10. That is a document consisting of two pages, the one a letter to the Pastor in charge AME Church and the second a folio headed Program 21 January 1984. Is that correct? -- That is so.

And is the first page the letter that you referred to (10) in evidence earlier? -- That is so.

I would like you to look at the second one, the document headed Program. Would you explain to His Lordship please what this document called Program was concerned with? -- In anticipation of calling a youth meeting in Boipatong on a date to be decided upon which was not in fact said what date it was going to be.

The document has a list of seven items, numbered items of different subjects and against some of them there are names? -- That is so. (20)

Are those the names of persons proposed to speak on the subjects next to it? -- That is so.

I would like you to look at item 7? -- Yes, I see that one.

What does that deal with? -- Of the people who were present in preparation of this meeting which was to be held somebody suggested that we invite a speaker from COSAS because of the known fact that there was an organisation of school children known as COSAS. Therefore, this person was suggesting for an invitation of a COSAS speaker. At the time (30)

when/...

when this was suggested we did not know of any person by name to whom we could say this is the person chosen as a speaker and we left it as it is.

Still on the subject of the documents found in your possession to turn to a different series and that is the AN series, document AN9 firstly. That is the document headed Vanderbijlpark Joint Committee. Is it correct that this document was found in your possession? -- That is so.

What was the Vanderbijlpark joint committee? -- It was a committee consisting of Bophelong Youth Association and (10) Boipatong Youth Organisation, Bophelong Civic Association, Boipatong Civic Association. It was a joint committee.

Do you recall when this joint committee came into being? -- This was on 7 February. That is the date at which this letter was written.

What gave rise to its formation? -- Because of the problem which was at Lebohang School, that gave rise to the formation of this committee.

Very briefly indeed, would you indicate what the problem was at Lebohang High School? -- Children were disallowed (20) at school. That is they were refused re-admission after having failed their examinations.

As at 7 February 1984 what did you know about the Boipatong Civic Association? -- What I knew at the time was that a person by the name of Jabulani Patosi, at the formation of VCA was chosen as a representative of Boipatong. He then in Boipatong formed this organisation of Boipatong Civic Association in the form of a committee serving under VCA.

Were you a member of that committee? -- No, I was not.

To your knowledge did the Boipatong Civic Association (30)

hold/...

hold any meetings in Boipatong? -- What kind of meetings? Public meetings or meetings of the committee?

Of any sort? -- No, I did not come to know about any of the meetings held by the committee.

What were the circumstances that gave rise to the preparation of this document AN9? How was it composed? -- I was approached by the members of the Boipatong Youth Organisation. If I remember well Ace Blaai was one of the people who approached me amongst them, at which approach they explained to me the problems which were being experienced at this school, as a result of which then I suggested that it was advisable for the residents of Boipatong and Bophelong to meet together in order to discuss this, as a result of which then we met on 7 February to discuss this issue.

Where was the meeting? -- At my parents' home.

And were you present? -- Yes, I was.

COURT : We have come across the name of Jabulani before on AT10. I find a secretary Jabulani. Is that Jabulani Patosi? -- No, that is Jabulani Khumalo. (20)

MR TIP : Who composed this document AN9? -- I did the writing with the composition from different people's views.

Did you contribute to the content of this document? -- No, I cannot quite remember whether I contributed anything to this.

You say you wrote it down and what happened with what you recorded, what you wrote down? -- I typed this letter. I personally typed it and sent it to the school.

To who precisely? -- To the principal of the school.

COURT : The Le? -- Lebohang School. (30)

I /...

I am not quite clear. Is Lebohang the sole secondary school in Boipatong? -- Yes, that is the only one. It is in fact not a secondary school but a high school.

What is the difference? -- The difference is according to me a secondary goes up to a secondary school St. 8 and then a high school up to matric.

MR TIP : Did you find out what became of the problems that had been experienced at that school? -- I remember coming to know that there were other children who were re-admitted, although some were already admitted at other schools, (10) but there were those who were re-admitted at this school. As a result of which then everything was left at that.

I would like to turn your attention now to EXHIBIT AN10. The document headed "Banning of meetings in the Vaal area local churches" and at the foot of the document there appears "Written by: Boipatong Youth Organisation, Bophelong Youth Association, Bophelong and Boipatong Civic Associations." Do you have it? -- Yes, I do.

Could you explain to His Lordship please when this document was prepared as far as you can recall? -- If I (20) am not mistaken it was the beginning of May. That is some time during May.

Of 19? -- 1984.

And do you recall what gave rise to this document being prepared? -- This was as a result of the notice I read about in the newspaper which notice was from the Administration Board warning the ministers not to allow organisations to hold meetings at their different church buildings or premises.

What was your personal role in relation to EXHIBIT (30)

AN10/...

AN10? -- I recorded the contributions from the people at this meeting and I then later ended up typing these.

COURT : I am not clear. The previous one also had the organisations at the bottom. Was it a private meeting or a public meeting? Private in the sense that only the committees of the various associations or organisations met or was it a public meeting where all the organisations and all the members and everybody who was interested came? -- At both instances these were meetings of the committees.

MR BIZOS ASKS PERMISSION FOR ACCUSED NO. 9 TO BE EXCUSED. (10)

MR TIP : Was the document delivered to anybody?

COURT : Did you write a document? -- I recorded the contributions and later typed it.

So, in fact you drafted the letter? -- No, it was a joint contribution at this meeting.

And you sent it off? -- Yes, I sent it to the superintendent of Boipatong with the request that he must pass it on to the Administration Board.

MR TIP : Did you take it personally? -- That is so.

There are amongst the documents you have admitted were (20) in your possession some forms relating to the million signature campaign. -- Yes, that is so.

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Do you recall when and the circumstances under which those documents came in your possession? -- I think I received them or they came into my possession in the month of April, May somewhere there.

Of 1984? -- Yes, in 1984.

In what circumstances? How did you come to possess it? -- They were given to me by Tshipa Motubatsi. Together with that he handed to me a poster of the million signature (30) campaign/...

campaign. At the time of handing these over to me, he requested me to see if I could find people to sign the documents. This he said after having explained to me what is that about.

When you say what is that about, do you mean what is the million signature campaign about? -- That is so.

And from what he said, what did you understand it to be about? -- From the explanation given by him, I understood this campaign to be one of the ways of indicating by the people their attitude towards the new constitution, that is their rejection thereof and of the Koornhof bills. (10)

At that time, what was your attitude to the Koornhof bills and the new constitution or proposals? -- I was in disagreement with that altogether because of the fact that even though there was a new constitution and we, the Black people, were still not included in that. Then in that way I did not agree with it, because I later came to the conclusion that the apartheid is still going to go on and which would mean that we are still going to be refused certain rights. That is how I felt.

And after the approach had been made to you, what did you decide to do about this campaign? -- I decided to carry it out. (20)

And what steps did you take to do that? -- I then started to find signatures from people to whom I also explained according to my understanding of what was explained to me.

Did you personally collect signatures? -- Yes, that is so.

In what capacity did you act in collecting signatures and being involved in the campaign? -- I was doing that in my own capacity as a person.

It has been alleged in respect of this campaign that (30)

it/...

it formed part of an effort to mobilise the masses with a view to promote a violent revolution ultimately in the country. Insofar as you took part in it, what do you say of that allegation? -- I disagree with that. There is no such. The reason why is because there are forms pertaining to this campaign and from my judgment of those documents there is no where where that is being suggested on the forms. I took it as a right of any person to indicate his disagreement with what was being mentioned there. In that way I disagree altogether with this suggestion that in that way it was (10) being used for the overthrowing of the government with violence.

I would like to turn to a new aspect. That is the rent increase which was to come into effect in September 1984. When did you first become aware that there was a proposed increase in the rent? -- It was towards the end of July. I would rather say in July. The end of July.

And from whom did you hear about this rent increase?  
-- From Mr Tsotso.

My Lord, accused no. 9 has returned to court. Do you(20) recall the circumstances in which you heard that from Mr Tsotso?  
-- He came to speak to me about that. All I can remember is whether he said he read about it in the paper or how did he himself come to know about this. All the same, but he is the person that came and mentioned that to me.

COURT : To what organisation does he belong? -- The beginning of that year he was known to me to be involved with the Boipatong Civic Association.

MR TIP : In relation to that, what was the position as at the end of July 1984? -- From what I heard him saying, this(30)  
organisation/...

organisation he belonged to was not in existence at the time when he spoke to me.

Did anything develop as a result of your conversation with Mr Tsotso at the end of July 1984? -- Yes, we agreed that it will be bound to talk to the people and get the feelings from the people about this issue.

COURT : Who would be bound? -- We felt it was important for us, that is namely myself and him, to get the people's feelings about this issue.

MR TIP : Just for clarity sake, when you refer to the (10) people, who are referring to? -- I mean the residents of Boipatong.

And was there any discussion as to how you would find out their feelings? -- Yes, in fact we agreed on forming a temporary committee, which committee was to be meant to organise a meeting with the residents. That is the Boipatong Residents meeting.

MR TIP : What was your own feeling at that time about this proposed rent increase? -- The first thing which came to me was that this was going to be difficult for the residents (20) to cope with because of the majority of the people who were out of employment. Secondly, I did not see any justified need for the increase on rent because the rent at the present time was already high.

Do you know the Bafutsane Party? -- Yes.

Have you ever attended any meetings of that party? -- I attended one of the meetings, which was held in Boipatong. That was during the time of campaigning for elections by the people who were going to stand for elections. That was towards the end of the year 1983. (30)

Do/...

Do you recall anything about what was said in the course of this meeting of the Bafutsane Party that you attended? -- Yes, I do. Members of this party on canvassing for elections made promises to the people who were to vote for them.

COURT : At this meeting? -- Yes.

MR TIP : What did those promises relate to? -- The promises were that should they be elected, they will try their utmost that there be no rent increase and promised that they will see to the improvement of the living conditions of the people in the townships. (10)

As at the end of July 1984, briefly what were your home circumstances? How many people lived at home and who was earning?

COURT : That is August 1984 or when?

MR TIP : End of July 1984. About that period. -- The only working person with some income was my mother. I was not employed at that time due to the fact that there was no employment available. We were seven children and my mother living in that house.

And what was your feeling ... (Court intervenes) (20)

COURT : Were you not married at the time or were you divorced by that time? -- I was divorced by then.

MR TIP : What was your feeling about the impact that this rent increase would have on your own home circumstances? -- My feeling was that if this rent was still going to be increased, then it was going to be very difficult and it is going to be a heavy burden to my mother.

Did you and Mr Tsotso decide anything specific about the formation of a temporary committee, as you described it? -- That is so. We agreed on inviting certain people (30)

to/...

to a meeting which we were going to hold on the 15th.

COURT : Of? -- Of August 1984. We held this meeting.

MR TIP : Before you come to that meeting. Do you recall meeting the witness Mohape at any stage? -- Yes, I do recall that.

Do you recall when that was? -- Yes, it was early in August. I think on 7 or 8 August, those dates.

Did you say anything to him about this meeting? -- Yes, I did. I made mention to him about what we had in mind, that is calling people to a meeting, pertaining to this (10) question of rent increase.

ASSESSOR (MR KRUGEL) : It is not quite plain what you mean by meeting him. Did you meet him for the first time then or did you know him? -- I knew him. We lived in the same street with him.

MR TIP : In the course of your discussion with Mr Mohape, did the subject of Sharpeville come into it at all? -- That is not so.

Had you at that time attended any meetings in Sharpeville?  
-- No. (20)

Did you at any stage during that period attend any meetings in Sharpeville? -- No.

Did you speak to him about any resolutions that might have been passed at any meetings in Sharpeville? -- That is not so.

We come then to the meeting of 15 August 1984. Do you recall who was present there?

COURT : Where was it held? -- At my residence.

MR TIP : And who was present at that meeting? -- I was present, Mr Tsotso, Peter Mohape, Balfour, Mohao Motaung. (30)

Was/...

Was there anyone else present that you recall? -- Those are the only people I recall.

And at that meeting of 15 August, what decisions, if any, did you come to? -- We came to a decision of holding a mass meeting of the residents in Boipatong, which meeting we were bound to advertise by means of pamphlets.

We will come to the pamphlets. I would like to ask you this first. Did you decide about a date for this meeting? -- Yes, that was one of the decisions we took at this meeting.

What was decided? -- That a mass meeting was going to (10) be held on 26 August.

What led to the choice of 26 of August? -- Firstly we found it necessary that we will have to have enough time in preparation of this meeting. The second reason was whatever decision was to be taken at this meeting of the 26th, this was to be carried out according to the decision in good time prior to this day of the increase on rent.

COURT : The day when it became effective? -- Yes.

MR TIP : On 15 August when the decision was taken, what was your state of knowledge about meetings which might be held (20) elsewhere in the Vaal Triangle on 26 August? -- I did not know of any other meetings to be held.

At your meeting on 15 August, what was decided would be the purpose of the meeting to be held on 26 August? -- The purpose was that the residents of Boipatong must meet and discuss this increased rent together.

With a view to what? -- With a view to make known what their feelings are pertaining to that issue.

Was there any discussion at your meeting on 15 August about the status of this temporary committee? -- This committee  
(30)

it/...

it was agreed upon that it was just going to be there in preparation for a meeting with the residents at which meetings the rent increase was going to be discussed, solely for preparation of that meeting. What was to happen to this temporary committee was to be decided at the meeting of the 26th by the residents as to what they now feel about this committee.

At your meeting of 15 August, was there a discussion about speakers for the 26th? -- There was an agreement that members of the committee will be speakers at this meeting (10) and that we are going to invite other speakers as well.

COURT : All members of the committee or just some members of the committee? -- We did not in fact go into details as to say how many of them are going to speak and who. All we agreed upon was that members of the committee were going to be speakers and it ended there.

MR TIP : Who were the other speakers that you discussed there? -- Even on that we did not specifically mention who the speakers were to be invited. We only agreed on inviting speakers from outside the boundaries of Boipatong. (20)

COURT : But now who would decide on the names? -- This meeting decided on me to do the necessary on that.

MR TIP : I have framed my question rather badly I think. I should have asked you was there a decision about the sort of speaker who might come in from outside your committee? What they might speak about? -- It was said the outside speaker coming there as a speaker will have to speak about the increase on rent.

What was done in order to get these outside speakers? Who took steps in that regard? -- I did that. In preparation(30) of/...

of the pamphlets as well. This I did after having been referred by Mr Balfour to Esau Raditsela. This is pertaining to the pamphlets. What happened is, while talking to Esau as a result of my having been referred to him by Balfour pertaining to pamphlets, I then asked him for a speaker from his organisation.

COURT : From VCA? -- Yes, that is.

MR TIP : We will come back to the question of the pamphlets but can I ask you this first. Where did this conversation with Esau Raditsela take place? -- At his place of employ-(10)ment namely Industrial Aid Society.

And how did you know to find him there? -- As I have just said, I was referred to him by this person Balfour. He is the person who explained to me where to find him, that is Esau.

In addition to this conversation with Mr Raditsela about a VCA speaker, did you take any other steps in regard to speakers for your meeting of the 26th of August? -- Yes, I invited a person by the name of Veronica Mbongo.

What was your thinking that she might speak about? (20)  
-- I had in mind that she was also going to address her speech on the question of the increased rent.

COURT : Who was she? What was her claim to fame? -- She was a member of Bophelong Civic Association.

Did Esau give you a name of the person he would send along? -- No.

Did he promise a person? -- Yes, what he said was that he, Esau, shall see what to do about that.

Did he say he would look into the problem or did he say "I will send you somebody"? -- He said he shall see if(30)

he/...

he will have somebody present at that meeting.

WITNESS STANDS DOWN.

COURT ADJOURNS.      COURT RESUMES.

SEKWATI JOHN MOKOENA, still under oath

FURTHER EXAMINATION BY MR TIP : Mr Mokoena, you remember before the tea adjournment we were busy with the discussions at your meeting - the meeting at your home on 15 August.

Was anything discussed there concerning the venue of the meeting of 26 August? -- There was a suggestion about the Anglican church as a venue. (10)

COURT : In Boipatong? -- Yes.

MR TIP : What was decided about trying to secure that as a venue? -- What was decided to secure that as a venue, I was sent to go and speak to the Minister in charge of the church there.

Who was he? -- Reverend Moselane.

Accused no. 3? -- That is so.

COURT : He is not in Sharpeville? -- The pastor in charge there in Sharpeville is in charge of Tsirela and Boipatong Parisian and the others in the area there surrounding the (20) area.

MR TIP : What took place? Did you approach accused no. 3? -- Although I cannot remember exactly what the date was, I went to Sharpeville where I met with accused no. 3 at which place I requested him for the use of that church, on which he, accused no. 3, referred me to Mr Kapiwa, a church warden of Boipatong to go and ask him for the use of that church.

And did he agree? -- Yes, he agreed to our holding a meeting there.

At the time that you approached accused no. 3, what (30)

was/...

was your level of acquaintance with him? Had you seen him before or met him before? -- It was not my first time to meet him. I am a member of the Anglican church. I used to meet him at church where he held services. That is how I know him.

I want to come back to the question of pamphlets which were to advertise the meeting of 26 August. Did Mr Balfour indicate to you any reason why he thought that Esau Raditsela might be approached? -- Yes, he said to me Esau's duties where he is employed has got to do with trade unions and he is therefore according to him in a position to assist in this (10) respect.

What was it about being involved in trade unions that made him able to assist? Was it indicated to you? -- Yes, he said there is a possibility of them owning printing machines.

What did you convey to Mr Raditsela concerning these pamphlets when you saw him? -- I told him that a meeting was held in Boipatong at which meeting a committee was formed. This was pertaining to the increase on rent and further told him that this meeting decided on calling off a mass (20) meeting as a result of which we felt that this meeting should be announced by means of pamphlets and I am then therefore here to ask him for his help on that.

And what was your response to your request? -- He agreed to that saying that he was going to be in a position to assist in having pamphlets printed, at which then he said to me a ream would cost about R12,00. He enquired from me if we were going to be in a position to pay for that on which I said not at the present moment. I further said to him we can try to refund him next time. (30)

Did/...

Did you subsequently receive pamphlets from Mr Raditsela?

-- Yes, we did.

COURT : Did you receive pamphlets which you had drafted or he had drafted? -- Due to the lack of experience in doing that, all that was done was I conveyed to him the decision of the meeting about a meeting which was to be held on a date which I gave to him and the purpose of the meeting and then requested him to draft that pamphlet for us.

Not the venue as well? -- Including the venue.

MR TIP : Do you recall when you received those pamphlets (10) from him?-- If my memory serves me well it was at the end of the week before the 26th.

Do you recall the day of the week? -- I think it was a Friday.

That would be 24 August. Just describe briefly where you collected the pamphlets? Were those the only documents that you obtained on that day and what did you do with that? -- If my memory serves me well, I went to collect these pamphlets from Esau's place of employment in Vereeniging and on receipt of this, I then started distributing the (20) pamphlets.

Did you pick up the pamphlets at the office of the Industrial Aid Society? -- I cannot quite remember exactly where was this where I had to pick up these pamphlets the first time, because after this meeting of the 25th, we again requested him, Esau, to have pamphlets printed on our behalf, which pamphlets I had to pick up from the FOSATU offices, as a result that I am not quite certain whether these were picked up at his place of employment or at a different place. On the two occasions I have just talked about, it happened (30)

on/...

on one occasion that he, Esau, requested me to hand over some pamphlets to Mr Nkopane.

Accused no. 8? -- Accused no. 8, yes.

And did you do so? -- Yes.

Would you look please at EXHIBIT AT5. Do you recognise that document? -- Yes, I do.

As being? -- As a pamphlet which I requested Esau to have it made for us which pamphlet was distributed by myself.

You will see that across the top of the pamphlet it reads "Asinamali" and then in the middle "Vaal Civic Association" underlined and at the end "Asinamali" again. -- Yes, I see that. (10)

Did you see that at the time when you had received those pamphlets? -- I only realised that on arrival at home.

What was your attitude to the fact that this pamphlet is headed Vaal Civic Association? -- To me it did not make really any difference as to who was calling the meeting as it is indicated there that it was being called by the Vaal Civic Association. What was important to me was that we in fact ended up having the pamphlets in which pamphlets (20) a meeting of the 26th was intended by us is being advertised.

What did you do with the pamphlets that you had received? -- I remember handing some of the pamphlets to the members of the committee and some were distributed by myself.

Do you recall a report back meeting of the interim - the temporary committee that you had formed on the 15th? -- Yes, on the 15th we agreed that we were going to meet again on the 22nd.

And did that meeting take place? -- Yes, it did.

Very shortly, what happened at the meeting of 22 August? (30)

That/...

-- That is where I made a report back to them about the progress and how far I had gone with what I was requested to do in preparation for the meeting, namely the requesting of Esau to have these pamphlets printed for us and the venue at church.

Do you recall at any stage whether there was a discussion about who would chair the meeting of 26 August? -- Yes, I do. We agreed on Mr Balfour to chair that meeting.

I would like to turn now with you to that meeting of 26 August. At what time did you arrive at the church? Do (10) you recall? -- If I still remember well I arrived there before 13h00. On arrival there the church building itself was still closed. I went to get the key in order to have the church building opened. On arrival there before going to get tea, I found some people outside the church building.

Were there any members of your committee amongst those persons? -- That is so.

Who were they? -- Mr Tsotso and Peter Mohape.

What was the position concerning Mr Balfour? -- Not at that time, he was not present. (20)

Did he arrive at any time thereafter? -- Until the meeting assumed he was still not there.

In his absence who took over the position as chairman? --I took over the chairmanship.

And did you commence the proceedings at that meeting? -- That is so.

Doing what? -- I asked Mr Mosiea to open the meeting with a prayer.

Did he do so? -- Yes, he did. After that I then explained the purpose of this meeting which was about to come and (30)

discuss/...

discuss the increase on rent and to hear the feelings from the residents of Boipatong about that. I then called on a first speaker Mr Tsotso.

Before you detail what you recall of Mr Tsotso's speech, I want to put to you what is alleged about this meeting of 26 August 1984 in paragraph 72.7 of the indictment. It is alleged that the speaker incited and intimidated and indoctrinated the audience to take part in riots and so forth with a view to leading to a violent revolution in the Republic. What do you say to that allegation? -- There is no (10) such. In this court here we had a witness, a State witness who was giving evidence about this meeting. In that evidence this witness never ever made mention of that of what is being put to me as an allegation of what was happening at that meeting.

COURT : I do not think you should lead your witness on what other witnesses said in the sense if he argues this case.

MR TIP : Yes, I had not anticipated that he would go on discussing the evidence. You were at the point of mentioning to His Lordship that you called upon Mr Tsotso to address (20) the audience. What do you recall about his speech? -- I remember him saying that councillors failed to maintain the trust which was expected from them, because they promised the people meaning the residents, that they were not going to increase rent and here we are today . They have increased it. I remember him saying in his speech further that he was suggesting that the increased amount on the rent should not be paid until such a time there were discussions held with those in authority at Houtkop. That is as far as I can remember his speech. (30)

Did/...

Did Mr Tsotso express an attitude whether or not the councillors should remain in office? -- I remember him saying that the residents must make a call on the councillors to resign.

Did Mr Tsotso call for a boycott of the businesses of councillors? -- I do not remember that.

Did the boycott of businesses of councillors come into discussion at all at that meeting of 26 August? -- No.

After Mr Tsotso had finished speaking, did he remain at that meeting or did he leave? -- He remained in the (10) meeting.

Before I go on to ask you about further speeches, I think we should deal with some of the physical arrangements there. How many people attended that meeting on 26 August? -- I estimate the people to have been eight hundred plus.

Was there a stage or a table? How were the speakers arranged? -- Just in front of the altar of the church there was a table and chairs. The arrangement was as follows. With the table in front of the altar. On both sides of the table, that is on the left and on the right of the table, (20) were chairs for people to take seats there facing the opposite directions.

COURT : Facing the table? -- Yes. Then from there on there were other chairs which were occupied by the audience.

MR TIP : Do you recall who sat at the table facing the audience? -- Yes, it was myself and Peter Mohape.

Did you see Mr Raditsela on that occasion? -- At the time when Mr Tsotso was still addressing the meeting, Mr Raditsela arrived there accompanied by a woman who was introduced by me as Miss Edith Lethlake and another person, a (30) male/...

male, who I came to know as Moloanthoa.

Did Mr Raditsela indicate to you what Miss Lethlake was to do at your meeting? -- Yes, he approached me and told me softly that the speaker I asked for to come to this meeting will be this one, referring to Miss Lethlake.

Had you met her before? You say he introduced her to you? -- No, she was not known to me.

To resume the thread of the speeches. At the end of Mr Tsotso's speech, did you do anything? -- Yes, I made a summary of his speech briefly. (10)

And thereafter what took place?

COURT : Why was that necessary? Did you do it in a different language? -- He, he made his speech in Xhosa and I therefore summarised it in Sotho. In fact in my summary I was just emphasising on the points where he was making suggestions.

MR TIP : As far as you can recall, who was the next speaker? -- If I remember well the next speaker was Miss Edith Lethlake.

And what do you recollect about her speech? -- What I remember in her speech is that she said it is important for people to come together and then while being together (20) then they will be able or make it possible and able for them to solve their problems and she also made mention of the fact that the increase on rent is going to be a heavy burden on the people. She also made mention of the fact that there was a meeting held in Sebokeng before this particular meeting at which she was a speaker, that is the meeting which was convened by us, wherein she said those people at that meeting resolved that people were not going to go to work as an indication of dissatisfaction about the increased rent. She then further said it was her suggestion that we also look into (30)

this/...

this and see if we cannot resolve the same way, because it was important that we make it clear that we do not agree with the increase on rent. That is how much I remember of her speech.

Did Miss Lethlake suggest a date on which this stay-away might take place? -- Yes, she said at Sebokeng it was agreed upon that that be on the 3rd. Which is 3 September 1984. Which day would be the first day on which the increased rent was to be effective on payment.

COURT : Did she tell you when this resolution had been (10) passed? -- Yes, she said this was a resolution by the people in Sebokeng at a meeting which was held a day before the 26th.

And where? -- She said in Sebokeng.

She did not mention a place? -- No.

MR TIP : Do you recall who the next speaker was? -- Veronica Mbongo.

And what was the effect of her speech? -- I remember her reading from the Bible, the Lamentations of Jeremiah. After reading from the Bible she then explained that what (20) she read about from the Bible is the situation in which we are today. She further spoke encouraging women that it was important for them to unite and form an organisation of their own. On this she made mention of the fact that there is already an organisation for women in existence namely VOW. On saying this, she said the problems which are going to be created by the increase on rent, are going to be a heavy burden on the women. That is what I remember.

Would you please look at EXHIBIT AT6. On page one you will see an item (4) Students Representatives? -- Yes, I (30)

see/...

see that.

Did a student representative speak at that meeting on 26 August? -- No, there was none. In that place Edith was the speaker.

That place being where there is an arrow from the no. 4 saying VCA Rep. Is that the position that Edith held? -- That is so.

Please turn to page 2. That is a page with some handwritten notes. In whose handwriting are those notes? -- That is my handwriting. (10)

Do you recall at what stage of the proceedings you made the notes which follow after resolutions:? -- That is after all the speeches were delivered by the different speakers. I am sorry, what happened there is, after each and every speaker made a suggestion I then noted that suggestion. That is how I came to have noted what I have noted here.

When you say after each and every speaker, do you mean the speakers that you have already testified about of were there further speakers? -- That is so.

I would like you please to look first of all at item(20) 1 which reads "We do not pay the increase." "Increase" is then deleted and "rent" is written in above it? -- Yes, I see that.

How did it happen that "increase" was deleted and "rent" substituted? -- Mr Tsotso's address suggested that we do not pay the increase on rent, before the talks with the people in authority at Houtkop. Just at the end of the meeting I proposed that there be resolutions that are being taken on what was suggested by different speakers, as a result of which then there was some discussions about the first point/... (30)

point referred to here. When this was discussed the following was said, that it does not help us resolving here that we do not pay the increase on rent, because what is going to happen here is that people will go to pay the present rent without the increase and they will be turned back to go and get some more money to come and pay the increased rent as well. As a result of which then a resolution was taken on the point of saying we rather not pay the rent at all until such a time we have had talks with the people in authority at Houtkop. That they must do away with the increased rent, which (10) increase on rent was R5,90 and R5,50.

Do you recall who proposed that the rent should not be paid at all? -- If I still remember well it was a Miss who is only known to me by the name of Dora Mosoane.

Did you write in the word "rent"? -- Yes.

At what stage? -- That is at the time of the discussions.

I would like you to turn your attention to the next item 2 which reads "Confront local town councils" and in the line below that "To resign promptly." -- That is correct. I wrote that down after a suggestion from Mr Tsotso that (20) the residents will have to make a call to the councillors to resign.

Where did the word "confront" come from? -- I wrote that.

Was this item discussed by the audience? -- Yes, it was discussed. In fact the residents made that indication that they as residents want the councillors to resign.

Then there is the third item "To stay at home on Monday." -- This I wrote down as a result of a suggestion by Edith that we are to consider there as an indication of disagreement with the increased rent, which she mentioned to have been a (30) resolution/...

resolution which was taken in Sebokeng at a meeting which was held a day before the 26th.

Was that proposal discussed at the meeting of the 26th?

-- Yes, it was and it was agreed upon that this was going to be done to make it clear that we as residents of Boipatong do not agree with the increased rent. During those discussions there was another suggestion. I remember a certain gentleman Spokes Mbele saying he is not against this suggestion of a stay-away on Monday the 3rd, but he was also making a suggestion in addition to that saying seeing that people are going to (10) stay at home and not going to work, it was important that there be a protest march to Houtkop where we were to submit all, make known the grievances of the people. The meeting agreed with him on that. That is as far as I can remember.

Was it said at all with whom at Houtkop the grievances should be raised? -- At that stage, no, it was not made clear. All that was said was this was to be raised with the people in authority at Houtkop.

When you say that the meeting agreed with this, do you convey that it was resolved by the meeting that there should (20) be a march on 3 September? -- Yes, that I mentioned as a resolution of the people of Boipatong.

Do you recall Mr Raditsela playing any part in the meeting? -- I recall him having something to say immediately after having taken the resolutions at this meeting at which he said that his organisation, namely the VCA will write letters informing the bus company about the stay-away which was going to take place on this date decided on. He elaborated on this letter saying that they were going to see that the bus company must not expect their employees to turn up (30)

for/...

for work this day. On that he said that even the taxi association will also be informed by letters. That is as far as I can remember.

You mentioned that the committee that organised this meeting was seen by you as a temporary committee. What became of it at the meeting of 26 August? -- After the resolutions were taken I then explained to the audience who the people were who were involved in this temporary committee in preparation of this meeting and explained to the audience what their aims were, saying to the audience, these people(10) are the people who met with a view of organising for the holding of this meeting and further explained to them that their meeting was not meant that this was going to be a permanent committee. In other words, what I was saying to them was they must not be taken to have formed an organisation. I then made suggestions that look, seeing that resolutions have been taken on what is to be done, I then said it is for the community, the residents present there in the audience to decide now whether they are now going to elect their own people who will see to carrying out of the resolutions(20) taken by this meeting or alternatively, still it will be for them to decide whether they accept this temporary committee as it is.

I think it is a matter of no dispute at all that the committee as elected at the meeting appears on page 4 of EXHIBIT AT6. -- Yes, that is so.

COURT : Let us get that on record.

MR TIP : The persons elected to office were as follows:  
The chairman was Mr Balfour? -- Yes.

The vice-chairman was Mr Peter Mohape? -- Yes. (30)

You/...

You yourself were the secretary? -- Yes.

Mr Tsotso was elected as vice-secretary? -- Yes.

Mr M.Motaung was elected an additional member? -- That is so.

And three additional members being Mr Mbele, Mr Themba Nkwenya and Mr Piet Mbongo. -- That is so.

What was the position with the singing of songs at this meeting?

COURT : Just a moment. Is there a difference between the additional member Mr Motaung and the other additional (10) members? Why are they set out separately? -- The difference here is that Mr Motaung was part of the temporary committee which was later elected as a committee. Then on electing the office he was an additional member, who did not have an office in that sense. That is why he is put there as an additional member. Then the other three at the bottom were additional members in the sense that they were elected to the committee at this meeting of the 26th. Otherwise they did not serve in the temporary committee which prepared for this meeting of the 26th. (20)

So, did the meeting elect the temporary committee en masse as one body? -- That is so.

And that you of the previous temporary committee then allocated the various positions amongst yourselves? -- What happened is this, at the formation of the temporary committee, we already had decided on Balfour as a chairman of the temporary committee and his vice being Peter Mohape and the secretary being myself and my vice being Tsotso and we had this additional member. So, when the meeting decided on electing us to a committee now, with the addition of the (30) other/...

other three members, we all retained all offices.

MR TIP : Do you recall whether any songs were sung at the meeting of 26 August? -- At the end of this meeting Nkosi Sikelele Afrika was sung. After that was sung, there was a group which started singing although I did not come to know exactly what they were singing. The reason being that immediately after the singing of Nkosi Sikelele Afrika the meeting was closed and we dispersed and then there was this group that started singing. Therefore I do not know what they were singing about. (10)

You recollect the evidence of Mr Mohape who said that he heard a song that mentioned Thambo. Are you able to comment on that evidence? -- AS I say, it is possible that that was sung without me knowing that it is being sung. I heard a song which was sung. I did not follow the wording of the song. Therefore I cannot comment on that.

You mentioned to His Lordship that there was no discussion about the boycott of businesses of councillors. Was any resolution to that effect taken at this meeting of 26 August? -- No. (20)

Did you read from any book concerning boycotts? -- I remember reading about boycotts, but I cannot just remember exactly whether it was from a book or from newspapers.

I am sorry, I mean at the meeting of 26 August? -- No.

What stationery did you have in your possession on that occasion? -- I had a file cover with me which contained blank papers similar to this one of EXHIBIT AT6 described.

COURT : That is a folio but not lined.

MR TIP : You have mentioned that a number of decisions were taken at this meeting. Were any steps taken to advertise (30) those/...

those decisions? -- Yes, I remember when Esau was just about to leave after the meeting that I approached Esau and asked him if he was not in a position to produce a pamphlet which will contain the resolutions as taken by this meeting.

And what was his response? -- He agreed to that. On which he further said that I will come in, meaning myself to come in to collect the pamphlets. And also said I will have to give time though.

What was to be contained in these pamphlets? -- That the people of Boipatong have taken a resolution of not (10) paying the rent until such a time they had talks with the authorities in Houtkop and the second resolution was that the councillors must resign. Thirdly, the resolution was that there is going to be a stay-away on the 3rd. The fourth one was that there was going to be a march to Houtkop where the people's grievances will be made known about the increase on rent.

Were pamphlets prepared for you? -- Yes, there were.

And did you receive them? -- Yes, I did on a Friday.

Could you look please at EXHIBIT AT12. Do you recognise (20) that pamphlet? -- Yes, I do.

Being the one that you received from Mr Raditsela? -- That is so.

Were those pamphlets distributed? -- Yes, I distributed them.

When? -- On a Saturday and I gave some of the pamphlets to the members of the committee for them to go and distribute the pamphlets as well.

That would be Saturday, 1 September that you are referring to? -- That is so. (30)

When/...

When you examined EXHIBIT AT12 did you find that it contained all the information required? -- I found that there was one of the resolutions which was not contained here. That is the resolution about the march to Houtkop is not contained in this pamphlet.

Did you take any steps in regard to that omission? -- Yes, at the time of distributing the pamphlets I made that known to the people, although of course all those to whom I handed the pamphlet in distribution knew about that resolution. What I did further than that, a further step to make(10) sure that the resolutions are known to the residents, I made use of a loud-hailer announcing the resolutions on the 2nd.

Did you attend any meeting on 2 September 1984? -- Yes, after receiving an invitation from Miss Edith I did.

Miss Edith Lethlake? -- That is so.

And where was that meeting held? -- Roman Catholic Church Small Farms.

Did Miss Lethlake indicate to you what the purpose of this meeting was? -- Yes, what she said to me was the following. That the day when she had attended a meeting, which meeting(20) was held by us on 26 August, on return at home she found that there was a similar meeting held at which meeting resolutions were taken, especially the one about the stay-away and the marching to Houtkop was also taken. As a result of which then there was a feeling that we must come together on this day of 2 September at the Roman Catholic Church Small Farms to discuss the issue of the stay-away coupled with the march to Houtkop as to how was this going to be done.

Was that the first time that you heard about a march from Small Farms? -- Yes, as far as I can remember. (30)

Did/...

Did you attend the meeting at Small Farms? That is on 2 September? -- Yes, I did.

Do you recall who was present there? -- Leaving Boipatong I was accompanied by Mr Tsotso. People I remember having been present at this meeting were Esau Raditsela, Mr Mphuthi.

Accused no. 7? -- Accused no. 7, yes. Mr Nkopane, accused no. 8, Mr Hlanyane if I remember well.

Accused no. 15? -- That is so. There were other people present there whom I cannot remember at the present moment. If I were to say in number we were about twenty. (10)

What was discussed at that meeting? -- The decisions which were taken at meetings which were held were discussed. That is the meetings which were held on the following days, 25 and 26. At this meeting Mr Nkopane, accused no. 8, made a suggestion, which suggestion was seeing that we were going to go to Houtkop, it was important that there be a memorandum drafted, which will contain grievances of the people about the resolutions they have taken. That is what I remember.

And what did you understand was the purpose of drawing up this memorandum? -- I understood that this memorandum(20) was going to be submitted at Houtkop on the 3rd.

Were any steps taken at this meeting concerning that memorandum? -- Yes, that is so, because Mr Nkopane, Mr Tsotso and Raditsela drafted this memorandum.

Do you remember essentially what the contents were? -- What I remember pertaining to rent was that the increase on rent is not going to be paid and reasons were given as to why was that in that memorandum of which reasons I can remember mentioning of the majority of the people in the Vaal being out of employment and another reason being that besides the(30) proposed/...

proposed increase the rent is already a heavy burden on the people. Those are the reasons I can still remember about that.

ASSESSOR (MR KRUGEL) : You say that one of the reasons was that the majority of the people in the Vaal was out of employment. Is that correct? -- That is not what I am saying. I am saying that this is what was said at the meeting of the 2nd where this issue was discussed and reasons given as to why.

I do not think we understand each other. You were saying that one of the reasons to be given in this memorandum, (10) the contents of the memorandum, was that the increase on rent was not to be paid and reasons were given. The first of these reasons was that the majority of the people in the Vaal Triangle was out of employment. I would like to know whether this was in fact so? -- Yes, it was. I was one of those people being mentioned there. I was aware of a lot of people who were out of employment in Boipatong because of retrenchments.

WITNESS STANDS DOWN.

COURT ADJOURNS.

COURT RESUMES.

K675

SEKWATI JOHN MOKOENA, still under oath (20)

FURTHER EXAMINATION BY MR TIP : Mr Mokoena, we were busy before the lunch adjournment with the contents of the memorandum which was being prepared at the meeting of 2 September. -- That is so.

Do you recall whether mention was made in the memorandum about councillors? -- Yes, it was written in that memorandum that the people are calling to the councillors to resign. The reasons were given as to why this was being said. One of the reasons I remember being mentioned there was that the people have lost confidence in the councillors, because (30)

of/...

of their having failed to carry out the promises they made at the time when they were canvassing for elections. It was further said that it is quite apparent to the people that the councillors got into the council for their own good and not for the good of the people and it was further said that it is a known fact to the community that councillors receive bribes from the community. That is as far as I can remember. There were requests that were being made there. The request I can still remember is that those people who were now on pension will have to get a reduction on rent, that they must have (10) a special rent which is meant for them as pensioners. A further request was that we requested that people must not be evicted from houses. What was further requested there was that kangaroo courts must come to an end. It was then further requested that because of the requests made by the people and the community there it is being felt that let it be the duty of the Administration Board to run the townships. It was further made clear that this memorandum is being drawn on behalf of the Vaal Community. Then it was signed. I remember it being signed by accused no. 8 Mr Nkopane and (20) Mr Esau Raditsela and Mr Ernest Tsotso. That is as far as I can remember.

Do you recall whether there was any decision about exactly who would hand the memorandum to the authorities at Houtkop? -- Yes, there was a delegation chosen to do that.

Consisting of? -- I was one of the people in the delegation, Mr Tsotso was also a member of the delegation and Mr Raditsela was also there. Accused no. 7, Mphuthi was also there and accused no. 8 Mr Nkopane and accused no. 9 Mr Ramakgula. Those are the people I remember. (30)

How/...

How would it happen that the delegation went to the authorities? What was the idea? -- The delegation was supposed to have gone with the community, that is the people, to Houtkop and they were the people to hand over the memorandum on arrival at Houtkop.

Who do you mean when you refer to the community? -- I mean the residents of the Vaal, Sebokeng and Boipatong.

Did the proposed marches on 3 September come into the discussion at this meeting of 2 September? -- Yes, we discussed the marches and that we will have to have the marshalls, (10) who will be in control of the march.

What was to be their function? -- Theirs was to see to it that people behave in a proper way in a peaceful and respectful manner on the march.

Was there any discussion about the meeting of the march from Small Farms with the march from Boipatong? -- Yes, that was said. The people from Boipatong were going to leave Boipatong at 08h00. That is according to the resolution of the meeting of the 26th. Then it was further said that the people from Sebokeng will leave an hour later than the (20) people leaving from Boipatong, because according to the estimation Boipatong was a bit further than Sebokeng from the destination. That was being done with the idea that we arrive at Houtkop almost simultaneously.

MR BIZOS INFORMS COURT THAT IT IS OBVIOUS THAT THE INTERPRETER IS NOT FEELING WELL.

INTERPRETER INFORMS COURT THAT HE IS SUFFERING FROM A HEAD-ACHE.

WITNESS STANDS DOWN.

COURT ADJOURNS.

COURT RESUMES.

(30)

MNR. JACOBS/...

MNR. JACOBS DEEL HOF MEE DAT DIE TOLK MET HOM EN MNR. BIZOS  
KOM PRAAT HET EN HULLE MEEGEDEEL HET DAT HY TE SLEG VOEL OM  
AAN TE GAAN.

MNR. JACOBS VRA VIR 'N VERDAGING.

HOF VERDAAG TOT 8 MEI 1987.