

23  
IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA  
(TRANSVAALSE PROVINSIALE AFDELING)

Ass

SAAKNOMMER: CC 482/95

PRETORIA

1987-08-11

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

-----  
VOLUME 255

COURT RESUMES AT 14h00 ON 11 AUGUST 1987.

POPO SIMON MOLEFE, still under oath

FURTHER CROSS-EXAMINATION BY MR JACOBS : Mr Molefe, in the Volunteers Handbook of the UDF it is propagated and depicted that the freedom struggle is waged against apartheid.

COURT : What is the reference?

MR JACOBS : EXHIBIT W52 UDF's Volunteers Handbook on Million Signature Campaign. -- That is correct.

Were you part in compiling this Volunteers Handbook?--  
In the discussions, yes. I was shown the draft. (10)

Will you have a look at page 4. We marked it here in court the other day when you gave your evidence-in-chief. In the first column in the middle under the heading point 3 "What is the UDF?" There it is stated "The United Democratic Front (UDF) is an alliance of 600 organisations fighting apartheid." -- That is correct. I see that.

I see it is said here "fighting apartheid"? -- Yes.

Does it refer here to the government. Fighting against the government? -- Fighting the system, the ideology of apartheid. It would include the government in a sense, yes. (20)

Will you have a look at EXHIBIT A1 page 50. It is part of the speech of Allan Boesak. In the second column, the second paragraph the last part "So our struggle is not only against the White government and their plans, but also against those in the Black community who through their collaboration seek to give credibility to these plans."

COURT : We had this this morning.

MR JACOBS : It was on the movement.

COURT : What is the point you want to make now?

MR JACOBS : The point that I want to make is that the (30)  
freedom/...

freedom struggle is waged against and what is the enemy,. is the White government, the plans of the government and the puppets. They are all part and parcel of the enemy of the people. That is what is depicted here.

COURT : What is the point that you are making?

MR JACOBS : The point that I want to make is that it is propagated between the people that the enemy of the people is a White government, the plans of the White government and the puppets. -- Yes, that is set out here.

Is it also true that in the documents of the UDF the (10) enemy is plainly, the government is plainly made known as the enemy? It is only referred to as the enemy?

COURT : Not only. Do you whenever in the documents of the UDF there is a reference to the government, the government is described as the enemy?

MR JACOBS : As the enemy.

COURT : That is the point which is made. Do you agree with that or not? -- That is the position.

MR JACOBS : I want you to have a look at EXHIBIT C14. We have already referred to this document previously in another (20) context. This document was found with Roland White. Do you know who that is? -- I do.

Who is he? -- He was a member of the Regional Executive Committee of the UDF in the Eastern Cape.

And it was found with Ismail Mohammed. That is Professor Mohammed. Is it correct? -- I do not dispute that.

And a copy was found at the UDF's offices in Johannesburg as well. Do you accept that? -- I do not dispute it.

So, it seems to me as if this document was distributed by the UDF between different people in the UDF? -- Yes, (30)

delegates/...

delegates who attended the conference in PE got copies of this document. I do not know if everybody did get it, but some of the people who were present there, did get a copy of this paper.

Was this a document distributed at the conference at Port Elizabeth? -- That is correct.

And is it a UDF document? -- Well, it is an input. It was not adopted as such as a UDF document.

But it was distributed between the people? -- Well, as the speaker was speaking he gave hand-outs to people of (10) the same document.

COURT : So, this was in fact the speech? -- That is correct.

Whose speech is it? -- It was Eric Molobi.

I think you told us already? -- I said that earlier on.

MR JACOBS : In the first paragraph, there is a reference to, I will read from the comma "It is imperative that all of us who are rallied as an antithetical force against the present regime should analyse thoroughly the objective conditions which shape our lives in this country. We should then re-assess our strength and strategies in order to chart scientifically(20) the course of our future struggles." The regime in this case refers to the government. Is it correct? -- That is correct.

And in the next paragraph "The democratic movement" that refers to the UDF? "picks up the reins of a struggle endowed with rich historical experiences. A synoptic look at our history will reveal that our people through various campaigns have always engaged the enemy in many occasions." This democratic movement, does it refer to the UDF? -- I think it refers to the UDF inclusive. It may refer to much more than the UDF but I do not dispute the fact that the UDF is inclusive in (30)

that/...

that.

And engaged the enemy in many occasions. The enemy is also referring to the government? -- That is correct.

And in this speech the message was brought home to the people that the government is the enemy of the people in the UDF attending that conference? -- Brought home?

Yes. -- I have got problems with the way in which learned counsel ... (Mr Jacobs intervenes)

It was propagated. -- I have stated clearly that this is political language, normal language that is used in our (10) communities, extending far beyond the UDF and when you talk of bringing home to people, the impression I get is that you are suggesting that people know nothing about this. Someone is coming with a new idea completely unknown to the people and then he is introducing it to the people. I do not know what this bringing home means.

But this is clearly a reference to the government at this meeting of the UDF? -- Yes, the enemy refers to the government.

If you will have a look at page 3, the first paragraph. (20) "We must never allow our detractors and enemies to have reason to disrupt our work and programs. We have a noble task of mobilising and organising our people into formidable front that will be able to render the useless plans of the government's reform unworkable." -- Yes, I can see that paragraph.

Can you tell the Court how did you render the government's plans unworkable? -- You render the government's plans unworkable by mounting an effective boycott of the elections, ensuring that the vast majority of the electorate or people (30)

who/...

who were expected to vote do not participate, do not vote. Secondly, by persuading those who stand as candidates not to stand. In other words, to discredit it in so much that the government must realise that it can no longer go ahead with the plans. I think one could perhaps similarise this with the situation of the Coloured people's council which the government sought to introduce after the Labour Party had frustrated the CRC which had then existed before it. Similarly the situation that existed with the South African Indian Council, the massive boycott rendered those structures (10) unworkable and the government had to go back to the drawing boards to look for something that it thought was much better. It was in that context that we spoke about this unworkability.

What about the Black Local Authorities? -- In the same context it would be dealt with also in the same context.

But how can you persuade people not to stand when they were elected already? -- We are talking about a situation here -- well, he is talking about December 1983. I am talking about the concept unworkable, how we used it. It obviously would be different in a situation where the elections have taken (20) place. In a situation where the elections have already taken place one way of doing that would be -- some of the ways of doing that would be to isolate. Firstly I think we move from the position that those structures were elected by an insignificant number of people. In the case of Soweto we are talking about a little over 10%. One way of making it -- the way of making it unworkable in the context of the methods of the UDF would have been to refuse to take part in any functions organised by the councillors, excluding the councillors from functions, important functions of the community, (30) boycotting/...

boycotting their businesses, their taxi's and persuading those who had already stood there to resign. In the event that the whole thing goes on, is to develop new methods of ensuring that in the coming elections even a lesser number of people will participate in the elections and that we reach out at the potential candidates and make them understand why the UDF was opposed to the BLA, with the hope that once they understood fully, they themselves would not want to be party to that.

Do you accept that at the time of this conference the(10) UDF already launched a campaign to get the people not to vote for councillors and the campaign for people not to stand in the elections? That was the end of November 1983? -- What are we talking about?

That was the election of the Black Local Authorities.

COURT : What is the date of this conference? -- The conference was on 17 and 18 December.

1983? -- That is correct. I think we must come back to the context in which this paper was presented. This paper was dealing specifically with the situation relating to the(20) possible referendum for the Coloured and Indian communities. That was the key issue that this paper was addressing at that point in time. It was attempting to look at principles on one hand and the question of strategy and tactics on the other. It was really intended to lay the basis for a debate that was to take place in that conference as to what best tactic the UDF had to adopt in relation to the anticipated Coloured and Indians elections. This would have meant the UDF either making a call directly on the government to call a referendum and once the government has called a referendum, the UDF (30)

participating/...

participating encouraging people to vote but voting no in the referendum to express their opposition to the new constitutional proposals. Or the UDF leaving the government to initiate the referendum itself without the UDF calling on it to do so and once the referendum is called, the UDF calling on its supporters and other people who were expected to participate, the Coloured and Indian communities to boycott the referendum. So, really the debate was whether to boycott or to call a referendum and this paper was an input intended to lay the basis for the debate on the issue of tactics (10) relating to that, the referendum.

MR JACOBS : Let us get something clear. Did this conference confine it only to the question of the Indian and Coloured elections? -- There were other things that were discussed.

It was not restricted to that? -- That was the reason, the primary reason for calling the referendum and the discussions throughout that conference was dominated by the issue on the referendum.

I will ask you again. Was it only confined to the referendum or not? -- It was not confined. I said that (20) was the dominant issue and the main reason for the conference.

The second point that we must clear up now, did you not in the UDF, I might be wrong and you can tell me, combine the two, the election, the Indian and Coloured election and the election in the Black Local Authorities as part - all as one part of the government's reform plans? -- That is so, but what are we talking about? Are we talking about this conference and this paper? If we are referring to this conference and this paper, I am saying the primary issue here was the referendum for Coloured and Indians and I (30)

cannot/...



cannot in fact recall any serious discussion going into the issue of the BLA. I think 80% - 80 to 90% of the time here was dominated by the discussions on the referendum. There were lots of differences, lots of commissions set up, discussions in planning, discussions in commissions, right up to the following day on the issue of the referendum.

Do you agree that at the time of this conference, Black Local Authorities were already elected in the country? -- That is correct.

That was a fact? -- I agree. (10)

And do you agree that that happened irrespective of the campaign launched and conducted by the UDF to have the people not voting in those elections and candidates to withdraw? -- I missed the question especially after the people. I did not get the word.

And the candidates to withdraw from the election, not to stand. Was that part of your campaign? -- If the learned counsel may repeat the question.

Was it part of your campaign before the elections of Black Local Authorities that the people must not vote and (20) the candidates must withdraw from standing in the elections? -- That is correct, should withdraw. It was our intention to persuade them to withdraw.

And irrespective of that campaign, people were elected on Black Local Authorities over the whole country. Is it correct? -- Not over the whole country. There were those councils which were - in which people returned unopposed which were set up because people, there were no candidates who opposed them.

But the majority of Black Local Authorities, they were (30) elected/...

elected? -- I believe so.

So, that was a fact? -- I believe so. Yes, it was.

So, how do you dismantle or not dismantle, I will read it again "We have a noble task of mobilising and organising our people into a formidable front that will be able to render the useless plans of the government's reform unworkable." How could they do that in regard to Black Local Authorities? -- I want to repeat what I have said. I have got no problem if you deal with the question of unworkability separately from this paper. Then deal with it and talk about the (10) Black Local Authorities, but to attempt to take what this paper is saying and say it was referring to the Black Local Authorities, I think it is incorrect, because it was looking at the position of the Coloured and Indian communities at that point in time as I understood it. It was more concerned with the matters relating to that. If it had mentioned anything about the Koornhof bills, it would have done so in passing, but the key focus of this paper was the issue of the Coloured and Indians referendum.

Are you sure of that? -- That is so. The conference (20) was called for that.

Will you look at page 1 paragraph 3. This paper deals with the next matters "Presently the State is coming with new constitution and the Koornhof bills and this whole gimmick of reform which the democratic movement must attend to." So, it is specifically referred to in this paper that even the Koornhof bills, and it is part and parcel of this paper? -- I said so. I said it might have been mentioned in passing but the purpose of the conference was to focus on the referendum. I have got no problem in dealing with that question. (30)

I/...

I can deal with that. I was simply appealing to Your Lordship that this paper must not be seen as a paper that was written to address the situation of the Black Local Authorities. It was a paper that was intended to lay the basis for discussion on the issue of tactics and strategies relating to the referendum for the Coloured and Indians which was due, which the UDF expected that it would perhaps ask the government to call or it would perhaps ask the people to boycott it if the government had called it.

Will you give an answer to my question, because it (10) is not referring to that what must be made unworkable is not the constitution, but it is the plans and the plans as I have pointed out to you in paragraph 3 include the Koornhof bills. -- Well, I was at the conference and I understood what it was all about, but any way, I think I should proceed in dealing with the question of what would happen after the election.

No, my question is, how could you make the Black Local Authorities unworkable? I think that is the word "unworkable." -- I said one who would refuse to co-operate with the Black Local Authorities. The community would boycott the (20) businesses of the councillors and their functions. They would be isolated from important functions of the community. If that did not succeed, more organisation will take place, more persuasion will take place to debate the issue of the Koornhof bills in the hope that in the following elections even lesser people would participate, but the other way of doing it would be to say "Alright, you say the Black Local Authorities is workable. Give us the land to build houses. Build houses for the people. Provide adequate services as other communities are enjoying the government, especially (30)

the/...

the White community. Tell us where, prove to us that this BLA is capable of generating its own finances, its own capital to run the affairs of the community." The debate would be around, it would be a challenge along those lines for them to meet those issues and I believe that they themselves would realise that they were mistaken when they thought that the BLA was a workable system and I think the fact that we believed that it was unworkable has now seemed to be proving to be correct, because the government seem to have accepted a lot of objections to that. It seems to be (10) looking seriously into some of those problems although they are not accepting the fact that they were wrong initially.

Is the Black Local Authorities still in existence? -- Yes, it is still in existence.

Is it part of the policy of the UDF to make Black Local Authorities unworkable? -- That is correct.

Is it a possibility that it can be made unworkable through violence? -- That is out of question. in terms of the UDF activities. It is simply out of question.

Would you agree that if you cannot persuade the people (20) and people in Black Local Authorities, people connected to it, to resign, then you cannot make it unworkable? -- We can make it unworkable even if they stay there. If there is no co-operation from the community, if they are unable to meet the needs of the community. That is not a workable - it does not mean it is workable. The fact that you are sitting there with ten or twenty or thirty people who are useless to the community, it does not mean you are workable, your system is workable. It is unworkable because it cannot meet the aspirations of the people. Thus it is unworkable. (30)

Unworkability/...

Unworkability does not really simply mean that there must be a complete collapse. They might be there, they might be meeting, but if they are not able to get the co-operation from the community and they are not able, they themselves, to generate the capital that will enable them to meet the people, they are not able to show how by participating in the Black Local Authorities both local and political aspirations of the people could be met. Then they are unworkable.

Is it also UDF policy to destroy Black Local Authorities?

-- Well, in the sense of making it unworkable, yes. (10)  
And destroying its credibility, making it lose credibility.

K830 Just to get clarity now. What do you mean by the co-operation of the people? -- Well, I mean refusing for instance - let us take an example of Soweto. The council goes and borrows about R200 or R190 million and it seeks to make the residents of Soweto pay that loan by imposing an electricity levy, which electricity levy is increased every year and in addition to that it seeks to get the people to pay for consumption of electricity, the people would refuse to pay. For instance residents would refuse to pay a loan that the (20) council went to take say for instance from America or where and insist that if there is any money to develop Soweto, that money must come from the government or must come from the areas where the residents spent their money, the cities.

COURT : Why would it be wrong to utilise an overseas loan?

-- Well, you cannot utilise a loan if conditions have not been created which would ensure that you would not be continual - perpetually taxed to pay for the development in your own area. If it is a loan that is intended to off-set a project or a program that is going to enable the community (30)

to/...

to generate its own capital, to run its own affairs, say something like developing business for instance centres which would pay rates and taxes to the council, that is something that the community could consider paying for, but if it is something that from the outset is patently clear that it is not going to resolve the very fundamental problem of how development is going to be financed and how services are going to be subsidised, then there is no reason why people should pay for that. The government is not requiring White communities to do that. (10)

Well, are White communities not paying for their streets and their electricity and their water? -- They are.

Are they not paying it locally from rates and taxes to the Municipality? -- They do, but all the business centres ... (Court intervenes)

What is the difficulty then? -- All the business centres are in the White community. OK Bazaars is there, Checkers is there. All the big businesses are there and all of us have participated in building up those businesses. We have been given small places in the townships. We have not been (20) given the right to own the land. The land has always been under the control of the Development Board. The only businesses we have got are little shops there which cannot help to finance the townships. We buy cars, we pay licence fees. All that money goes to the White Municipalities in the town and when it is used, it is used to develop the areas in the - the White areas. Transport in the township is transport which is controlled by PUTCO. Transport in the cities is controlled by the City Council of the Town Council. The money that comes ... (Court intervenes) (30)

At/...

At a loss. It is run at a loss. -- Well, it might be said at a loss, but there is this money coming from OK Bazaars, coming from Anglo American, all those moneys, licence fees and so on, are there. They are going into the City Council. Why should this only apply for the White people? Why could a situation not be allowed to develop where the Black communities could also benefit from these things?

Yes, but we were debating the question of an overseas loan. The principle involved. -- I cannot deal with the principle in isolation. I think it is in the context of the(10) situation in the Black communities and the repeated refusal by the government over the years to state clearly how the townships for the Black people are going to be developed. In fact, the Committee of Ten when it was formed sought to draw the attention of the government to that issue.

Is basically the position not that the stand of the UDF is one of non-co-operation with the government at all levels unless there is representation in the central parliament? Is that not basically what is behind it all? -- Well, I would say that is the position but ... (Court (20) intervenes)

Once you take up that position, you can rationalise about everything else, but the conclusion is, there would not be any co-operation? -- The situation might have changed may be, if for instance the government when it presented things like the Black Local Authorities it was not presenting them as substitute for meaningful political rights, but the government had made it clear that that was - those were the structures through which the Black people must express their political aspirations through and that those would be (30)

linked/...

linked to the homelands. So, that even if there was anybody right thinking person who wanted to participate, the simple fact that the government wants those those things to be the extension of the homeland system and wants to use it to deny the Black people a political right in the central government of the country, in a government that should be making laws that control the townships, they would - such a person would have found it difficult to participate and secondly, any right thinking person would find it difficult to enter a Black Local Authority that has got to inherit (10) a list of 25,000 people waiting for houses without any indication from the government as to how that kind of a problem would be solved. Would the government still retain the control over the land and all the moneys? It should really be difficult. Perhaps ... (Court intervenes)

One could pressurise the government through the medium of the Black Local Authority. Is that not a more direct way?-- That was tried in the past. It did not work. The Black people participated in those things for many, many years. We know that leaders like Chief Luthuli, Z.K. (20) Matthews, Paul Mosaka who at a certain point in time were members of the ANC, participated in those things. In particular the NRC, but they reached the point where they felt that they were just toy telephones. There was nothing they could achieve. They had to leave then. Over many other years people participated. They tried community councils, they tried urban Bantu councils. So, that what remained then was organised and disciplined pressure that manifested popular support from outside those structures, because every time important people participate in the structures, (30) then/...



then the government says "Oh, yes, I think now we have got better people, they will work, they will accept it." If pressure is put from outside those structures, the government will be forced to come up with something and begin to consult on what are the better structures. We are not opposed to principle of local government, but we do not want to be made to participate in the structures that would turn us into the enemies of our own people, because people look at us and they say "You are responsible for our hardships", because those structures are expected to implement the policies (10) of the government, policies that are made by people who are elected by the White electorate, policies which are an expression of the perceptions and the aspirations and interests of the White community. Now, we have a difficulty. We would prefer if a local government of that nature is introduced that cannot address the problems of the people, it had better be implemented by the government itself. Let the government send its own officials to do that. They did not use those things to cause division within the Black community by giving people structures that are unworkable, structures (20) that cannot, that will make them lose respect from their own people. Everyone of the majority of the people who went into those councils, even if they might have gone there as popular people, respected by their communities, by the time they leave those things, they leave them as discredited individuals who are isolated. The community longer wants to accept them. This has been the case with or without the UDF. This has been the situation.

MR JACOBS : If I understand you correctly then, the Black Local Authorities are absolutely unacceptable for the UDF?(30)

That/...

-- That is correct.

And it is part of the freedom struggle to get rid of them at all cost? -- I do not want to accept such broad terms at all cost. I do not accept that. Not at all cost, but we would like to ensure that the government realises that they are unacceptable, they are unworkable, they cannot substitute for meaningful rights. They cannot meet the real aspirations of the Black people, the African people.

And is it part of your policy in the UDF to put up structures of your own in the Black residential areas? -- (10) What is that? To replace the BLA? When we set up our own organisations, we can set up our own policies. What does the question want? I do not understand it.

COURT : You have to be explicit. One can have a tennis-club in the area of a local authority or one can have a structure that replaces the local authority itself. What is your question?

MR JACOBS : Structures that will administer the Black living townships?

COURT : Do you mean administer sewerage, electricity, water, (20) roads? Is that what you mean?

MR JACOBS : Yes, that is the first part of the question. -- The UDF has got no policy in that regard, but we would obviously welcome discussions relating to how we thought we could be participating in those matters.

Will you be party to discussion under the present constitution how to put up those administrative bodies in the townships? -- Oh, yes, if they are not presented as a substitute for our political rights. If they are presented as something that must tie us down, we would not participate. (30)

(ASSESSOR) / ...

ASSESSOR (MR KRUGEL) : That must what? I am sorry. --

If they are presented as something that must tie us down to local politics and as a substitute for meaningful political rights, we would still not accept it.

Yes, but you have got no problems with discussing matters under the present circumstances, under the present constitution provided that it is not understood that it ties you down? -- Provided that that discussions would lead to showing how the Black people can influence national policy that controls those local authorities. (10)

COURT : I am not clear on the answer. Let us take a concrete example. Roads have to be tarred. Are you saying that the UDF will or will not discuss means of providing funds for the tarring of the roads with the Black Local Authority and with the central government if no strings are attached? -- I do not think we would like to discuss those matters with the Black Local Authority. We would be prepared to discuss it with the government.

Well, that in effect means that you want to by-pass the Black Local Authority, because you do not recognise it?(20) -- Because it is simply an unworkable structure. We do not want to give it credibility because once you do that, then the government begins to give publicity to the fact that the UDF has accepted the Black Local Authorities and that might turn to discredit the UDF as well. We know that the government has got powers here.

In fact, on the question of local government, there can be no co-operation? -- In its present form.

MR JACOBS : What about the putting up of your own structures in the townships to take over the duties of the Black (30)

Local/...

Local Authority? -- Well, the UDF has not discussed that, but we would obviously have no problems if we were to be asked to have our organisations in liaison between say the Development Board and the residents of the township pending discussions with the government as to what best system of local government could be set up. Really to facilitate the day to day administration of the township, our affiliates would have no problem in acting in liaison with the government at that level.

Even if the government is not prepared to agree to a (10) national convention and say for instance only grant the Black people a fourth chamber in the parliament? -- I am not dealing - I have made my position very clearly on the position of the fourth chamber. We are dealing here with the question of local government and what I am saying is that if the BLA - if the government accepts that the BLA's are not there and accepts that something else must come in their place, and the Development Board takes over, in the interim period, local organisations would be willing to interact with the government to serve in liaison with them, to talk to the (20) government to facilitate the work of the Development Board in the townships. That is all I am saying. I am dealing with the situation as was at the time and is now.

COURT : But do you not have this difficulty now, that you will have to discuss matters as matters stand on the basis of a separate Black township which is to be administered and that is unacceptable to you? -- Well, once the government accepts that, it would obviously have to address some of the very facts in question relating to finance, relating to the political rights. So, I would really see that as (30)

a/...

a short term - as a stop-gap measure, allowing the government to develop a much more equitable system, but I need to say ... (Court intervenes)

But is it not against your principles to de facto recognise the existence of a separate Black township in view of the fact that you do not want the group areas act? -- Well, it is against the principle only insofar as there are restrictions that people must be there and they cannot move to other areas, but obviously, when we deal with this question, we would be dealing with a situation that is in a (10) process of development with the hope that once the government has accepted that, that what is presented to the people at local level is unacceptable and it can substitute for meaningful political rights. It then has to move on to say at national level they would have to get something much more meaningful that would enable them to influence the policies that control their lives at local level.

MR JACOBS : Is it not part of the goal and strategy of the UDF to make Black Local Authorities unworkable so that you can replace it with your own structures in the townships?(20) -- The UDF has not developed structures in the townships. I think the replacement could really only refer to representing the residents directly to the officials appointed by the government in that context, not in the sense that the UDF would set up its own Black Local Authorities. What really was said was look, the local authorities do not - the majority of the people reject the local authorities. The government cannot take decisions on behalf of the residents in the township on the basis of what the councillors are saying. Let there be a popular decision that is represented(30) articulated/...

articulated by popular organisations of the people, organisations which consult residents on matters that are affecting them. Because those are the organisations that can give a clear view to the government as to what the feelings of the people in the community are. Quite often we have seen rentals increased in the townships and later you see a statement by the councillor saying we did not increase the rent or the government has decided against our wishes or pointing fingers at each other. Or a situation where the councillor tells the government that people are happy with the situation (10) in the townships, only to find that they were wrong later on, because there is no proper consultation and the structures are unacceptable.

ASSESSOR (MR KRUGEL) : Can you ever have a system where you have consultation right down to the very lowest level always and still have a practical government? Is it feasible? -- The question is not quite clear.

COURT : Consultation on every detail of government, consultation straight down to the lowest level, is that a practical possibility? -- No, there might be other things that may (20) not require consultation, but if important matters that are affecting the community, seriously, with serious implications for the community, are considered it is very important to know the bit of the past to consult on those matters. Let us take an example of a councillor who decides to go and borrow R190 million which he expects the community to pay. He obviously needs to get the assurance from the community that they support the idea, that they would be prepared to pay and he needs to give an indication of how much the people would be likely to be required to pay and get a (30) response/...

response in that regard. He cannot just go and get the money and then he comes back, he takes a decision and he says "I have borrowed money for you" and he releases a press statement to inform the people through a press statement and then he goes ahead increasing the rentals, imposing levy and then he says next year it will go up and those who are unable to pay get evicted from their houses. That would really be unacceptable. But it is one of the issues on which proper consultations would have to take place.

MR JACOBS : Do I understand correctly then that every time(10) a local authority would like to bring in improvements into an area, then he must first go to every voter and ask him do you ... -- That is not my statement. I am saying on matters that are likely to have serious implications, if the matter is going to lead to an increase of R1,00, surely they can go ahead, they can come up with a program and say "Look, this project will cost you only R1,00. We have started this project. We are increasing your rental by R1,00 and so on" if it is a meaningful project, but you cannot go and embark upon a project where you rely solely(20) on the residents to pay without consulting them, if that project is going to require the rental to be increased by 20% or 30% or so on or a very significant amount of money. Surely, if they want to build a park for the children and it is something that requires just an amount of 50c from each family, R1,00 from each family per month over a period of two, three years, or even if it is five years, they do not need to worry much about that.

Do I understand you correctly then that the Black people in the townships want improvements in the townships, but (30) they/...

they do not want to pay for it? -- That is not what I am saying. I have made it clear that improvements have got to take place, we want improvements in the Black areas, but let that principle that operates in White areas operate in our areas as well, the principle that a certain amount of money will be generated from certain sources. Let us not be required to pay for everything that is taking place in the township and the almost 100% of that money. That is a situation that we can simply not afford. Black people have got low education, Black people are unemployed most of (10) them, Black people have been deliberately denied development because the government over a period of time believed that the Black people do not belong to the urban areas, they were simply temporary surgeners who needed just a roof over their head and some walls around them to protect them from the wind at night and the sun when it is a hot day, so that they can go on, oiling the machine of production in the industries and as soon as they have finished ministering to the Whites, they could be returned to the homelands. That has been the policy. That is why today our townships have (20) not been developed to nearly the same level as the areas occupied by White people and those areas occupied by White people are far advanced in terms of the financial resources that they can generate to administer their affairs so that they could keep their electricity bills low, could keep money for the services low, so all we are saying is that let us that principle apply in our areas, let us have a share in the money that we produce, we work for it and then we would be prepared like all other people are prepared to pay.

COURT : What do you regard as low?

(30)

(ASSESSOR) /...



ASSESSOR (MR KRUGEL) : Money for services and electricity?

COURT : What is low in your opinion? -- Well, in the sense that we would not have to pay for everything. It is a fairly subjective ... (Court intervenes)

You would be surprised. -- Let us say, I had seen reports in the past which - researches that were conducted that indicated that very great disparity between what the people in the township pay for a unit of electricity in Soweto and what they will pay for say may be in Parktown or Parktown North. That in the White area is lower. In the Black area(10) it is high and those are the people who are getting lower wages because the town council would buy electricity in bulk and then it sells it as a profit to the people in the township because they cannot get any other money. So, they have got to get money for their unit and get profit again on that and then they must get another money for such rentals and so on. All we are saying is that we are also entitled to what other people are entitled to in this country.

MR JACOBS : Did you ever try to investigate what the White people are paying, personal investigation? -- I have looked(20) at some research reports. I think I can go and look for them if they are needed.

Can we carry on. Will you have a look at EXHIBIT C1. The first part is a handwritten part and then there is a second document, it is a typed document. The first is a draft and the second is a typed version thereof. -- I can see that.

This document was found in the UDF offices in Johannesburg. Do you accept that? -- I cannot dispute that, but I thought this is the same document which was alleged to (30)

have/...

have been found in possession of a certain Motubatsi in the Vaal Triangle. I am not quite sure, but I thought that was the position. I cannot dispute it. All I can say is that I have got no knowledge of this document. I have not seen it before.

The heading of the document, the printed part " The united front, why do we form it and how appropriate is it today. That is on the typed one. -- Is it confirmed that it was found at the office of the UDF?

COURT : It is agreed between the parties that it was (10) found in the UDF offices at Johannesburg. -- I see that. That is written.

MR JACOBS : The draft of this document, the handwritten part, do you know whose handwriting that is? -- No, I do not know it.

ASSESSOR (MR KRUGEL) : Yes, but is the handwritten part a draft for the typed section, Mr Jacobs? -- The first few words do not correspond with what is typed. For instance ... (Mr Krugel intervenes)

They are two documents. -- Yes, I think so, because (20) the other one says we meet at and then the other one says at this stage of our struggle.

COURT : On page 2 "Our objective is to dismantle apartheid" is the same again. You cannot say the one is a draft of the other. It may contain portions which are similar.

MR JACOBS : Let us concentrate on the second document, the typed one. -- May I place on record once more before I answer the questions that - as far as I am concerned this is not a UDF policy document.

This document - I put it to you that this document(30) depicts/...

depicts important parts of the policy of the UDF, important parts of the strategy of the UDF, important parts of the planning of the UDF and the aims of the UDF. -- Well, I am not sure. I would have to look at it which sections the learned counsel is referring to.

Let us start at the top then. "The United Front. Why do we form it and how appropriate is it today." "Our objective 2.1 is to dismantle apartheid and replace it with a more just and democratic system as in the freedom charter for those of us who subscribe to it." Is that according (10) to UDF policy? -- Firstly, I said that this is not a UDF document. It therefore does not reflect UDF policy. There might be similarities in certain respect with regard to things set out here and what the UDF's policy is, but the document is not a UDF policy document.

COURT : Could I have some clarity on this question of UDF policy and UDF policy documents. Is it conceivable that there are UDF policy documents which emanate from the region executive council of the Transvaal region? -- Transvaal region of the UDF cannot make a policy for the UDF. (20)

Can it not make regional policy provided it is not in conflict with the general overall policy of the UDF? -- It can. It can make regional policy.

Can this not be a paper by the regional executive council or somebody there which, provided it is not in conflict with national policy, can be stated to be UDF policy? -- You see, to determine whether it is not in conflict with UDF policy very often it might have to go through the necessary structures. I might say that may be I see nothing wrong here, but if other regions of the UDF had looked at (30) it/...

it and other members of the NEC, they might have concluded that it cannot be accepted as policy, but I agree that the Transvaal region may interpret the policy of the UDF and produce its own documents with the understanding that it does not conflict with the national policy.

What I am taking up with you is the following statement by yourself. You say it is not a UDF document. Is it not true that documents emanating from the Transvaal region remain UDF documents? -- UDF Transvaal documents.

They would not say it is UDF Transvaal. They would (10) say UDF. They would not refer to themselves as UDF Transvaal? -- Normally we expect them to be referring to themselves like that, but then we - unless it is accepted by the NEC and the NGC, they are not generally UDF policy. They may be UDF Transvaal policy. I think this must be understood within the context of the autonomy extended to regions to deal with matters pertaining to the regional conditions.

MR JACOBS : Would you say that that is the policy of the UDF to dismantle apartheid and replace it with a more just and democratic society or system? -- Well, I cannot recall (20) the UDF using the word dismantle, but the UDF would like to see apartheid going and a better system coming in its place. A more democratic order coming in its place.

Is it part of the policy to destroy apartheid? -- And the UDF is not committed to the freedom charter. It does therefore not say that that system that replaces apartheid must necessarily be the freedom charter.

And is it not part of the UDF policy that organisations that adhere to the freedom charter and support it, that they can do so, organisations that are affiliated to the (30)

UDF/...

UDF? They can even campaign for the Freedom Charter? -- They are free to do so. They are not instructed by the UDF. The UDF simply says that it does not and cannot determine policies, programs and principles for each affiliate. It simply requires them to participate in the campaigns against the new constitution and the Koornhof bills within the principles as set out in the declaration mainly and the working principles. So, that any organisation, if it was a BC organisation, Black Consciousness organisation, it would be free to talk about Black Consciousness as and (10) when it wanted to. The UDF would not stop it from doing that. Similarly with organisations that want to talk about the Freedom Charter.

COURT : Yes, but let us now distinguish. Let us distinguish between affiliates and regions. It may be that affiliates are autonomous, it may even be that regions are autonomous, but certainly the Transvaal region, the Transvaal Executive Council of the Transvaal region must tow the line as far as the National Executive Council is concerned, as far as policy matters are concerned, as far as documentation is (20) concerned. It cannot go against your policy. It cannot go against your principles. Can it? -- It might decide that it does not support that line, it may have to be debated and if consensus is reached, is not reached, very often it is difficult to go ahead. Let us take the example of the Kennedy visit. The general view of the NEC of the UDF was that Kennedy was welcome, he should be met, the UDF could assist him in whatever he wanted to be assisted in. Then a number of regions and affiliates said no, they do not think that the UDF should do that and the NEC could not impose (30) its/...

its views on that, some kind of a flexible approach had to be adopted. It was really a difficult situation. If the NEC could just tell them "Look, you tow this line, we would have taken that decision and every region would have towed that line, but it could not happen that way." It was the view of the majority of the people in the NEC that for instance there must be a call for a referendum and that UDF must participate in that referendum and vote no, but regions could not accept that and we could not go ahead calling for a referendum. (10)

MR JACOBS : But was the decision not finally taken by the National Executive and then it was decided in the end, then it became policy of the UDF and then they had to tow the line? -- Only when the regions said "Alright, now we give you the mandate to take the views from each region and try to get a compromise position and if you arrive at a compromise position, we will accept it, because we as regions have now failed to arrive at that compromise position in conference. We cannot go on debating the issue for ever. We give you now the latitude to decide on that." It was (20) again on the basis of the broad mandate of regions.

But it was after the discussions in the affiliates, after the discussions in the regions and then it was referred back to the National Executive and they made a final decision and that was policy and binding from that stage. Is that correct or not? -- It was not binding in a sense that it was a flexible position. It really once more left each region to handle it the way it saw it fit in terms of the conditions in that region, as long as it did not violate the policies of the UDF, but in effect, what we were saying (30) was/...

was now we remain flexible, you can handle it the way you handle it.

ASSESSOR (MR KRUGEL) : But what will happen if some regions of the UDF were for instance to adopt something that would be quite contrary to current policy? For instance, if you have a region that would say we now support violence? -- Then that mean they cannot be part of the UDF. We would try and persuade them to leave that. If they cannot, then they cannot be part of the UDF in that respect. I think there is autonomy but in the broad understanding of the (10) non-violent policies of the UDF. When we come to this question that learned counsel has raised in respect of the referendum, right up to the last moment border region was saying "We are not convinced that the whole question of allowing regions to decide what they want to do is correct, but in any way, we will not do anything about it, but for us we do not think it is the correct approach." The NEC could not say to that "Look, you just tow this line or nothing else." But if it was something they were doing which would affect the very fundamental principles of the UDF as to (20) the question of violence, there was no way in which they could hope to be part of the UDF, because that would endanger everybody and all organisations in the UDF.

MR JACOBS : And say for instance an affiliate of the UDF decided to support Black Local Authorities, that will be against the policy of the UDF? Is that correct? -- To support - to accept it?

To accept it and support it? -- Yes, that would be against the policy.

They will be chucked out and they will not be acceptable(30)  
to/...

to UDF? -- That is so, but the situation might be different for instance where may be, well, the matter did never really arise in the past. There might have been a situation where one local authority said "Look", one organisation said "Look, we operate in Mamelodi. There is so much confidence in us. Our supporters and our members want us to go in there, into the local authorities to defend them or to use that to show the government that this thing does not work, to frustrate the efforts of the government. We want to go there and do what the Labour Party did." They UDF could not dictate to (10) that organisation. The situation might have well warranted a different consideration, but it never arose. I do not know how it would have been held.

Such an organisation will not be acceptable in the UDF?  
-- Well, there might be problems, yes.

COURT : I think you can take the example of Inkatha. Inkatha was not acceptable to the UDF because they were part and parcel of the homeland system. -- That would extend that they wanted to draw us into the homeland system.

On the same basis if an affiliate joined the Black (20) Local Authorities as a participant, on the same basis you would probably have him withdrawn from your own organisation?

-- Yes, to save ourselves of embarrassment, we might have said "May be you withdraw and you prove your strategy away from the UDF and once it has worked, you can come back."

MR JACOBS : I have got trouble with your answer. You said it might have and it is a possibility and so on. Is it not a clear policy of the UDF to reject every organisation that is part and parcel of the system? -- I think we must deal with this question at two levels. If that organisation's (30) position/...



position is an explicit we accept the Black Local Authorities as a workable system and we will promote it, that organisation will not be accepted by the UDF. But if an organisation that had been part of the UDF had said "Look, man, we do not think the approach of boycott is the correct one, we think that our supporters want us to go in there, because if you do not go in there, so and so is corrupt, so and so is corrupt, so and so is corrupt and is likely to go in there and there is likely to be more problems, we want to go in there to prevent these people causing problems for us and once we are there, (10) we will demonstrate to the government that this thing does not work", the UDF might have said "Look, you go in there but for tactical reasons you keep away from us, we will not fight you, but you can look over there and prove if that tactics work, because really it is not a matter of principle, it is a matter of tactic." Whilst the UDF might have rejected completely the participation in the elections for the BLA in 1983, one cannot take a position that that will remain the situation perpetually. It may well be that in the future having assessed the situation we think that the best tactic (20) may be is the one that was used by the Labour Party in respect of the CRC. So, tactics are really things that change from time to time. They depend on the conditions at a given point in time and the timing that relates to that, whether an action that is taken at that point in time can best advance the interest of those concerned, but the position remains clear. If it is intended to support the system, it would be a loud no.

Is it not so that the Labour Party was not acceptable in the UDF, they were made out to be puppets and all that? (30)

Well/...

-- Well, I am dealing with the situation prior to these constitutional proposals. I am not dealing with the tri-cameral proposals. I am dealing with the situation pertaining to the Coloured Representative Council.

Let us go back to EXHIBIT C1. Is it part of the policy of the UDF that apartheid must be destroyed? You have not answered my question. I asked it a long time ago. -- I have answered that question. I have said that though we are not sure if the word dismantle was used, but we wanted apartheid to go. (10)

I asked you about destroy. -- Destroy in the sense of in a political sense of discrediting it and demonstrating that it is not a workable system.

As the objective stands in this document, is to dismantle to apartheid and replace it with a more just and democratic system (as in the Freedom Charter for those of us who subscribe to it). -- That is not the objective of the UDF. I think this person is talking about - he is presenting his own views and how he thinks other people think about the Freedom Charter vis-a-vis the apartheid. (20)

Is it the first part before the brackets, is that part of the UDF's policy? -- That is correct.

So, do you know of any documents issued by the UDF where they set out the policy as it stands here directly, an adopted document? -- No, I do not know it in that context. I have explained it that this is not a UDF document as far as I am concerned and that the UDF certainly wants apartheid go and in the place of apartheid there must be a government elected by all the people of South Africa, a government representing all the people of South Africa, a non-racial democratic government/... (30)

government. That is part of the policy of the UDF. If this statement is intended to say what I have said, I have got no qualms with it.

I will ask the question again. Did the UDF draw up and accept a document in which it sets out its policy fully on the dismantling of apartheid and to replace it with a just and more - more just and democratic system? -- Well, as I stand here, I cannot think of a document that is set out in that manner. I cannot think of one.

But is it general knowledge then in the circles of the (10) UDF that it is the policy of the UDF to dismantle apartheid and replace it with a more just and democratic system? -- I do not know if the wording as set out here is used like that, but it is an accepted policy of the UDF and that is generally known that the UDF wants the present apartheid system to go and in its place to be a government elected democratically by all the people of South Africa. That is what is known - generally known to the UDF, but as I stand here I cannot recall any UDF document that is written out in the manner in which this one is written. I cannot remember. (20)

So, is it possible for anybody in the UDF to draw up a paper or a speech or anything and state in that paper what the UDF policy is? -- Individuals are capable of saying anything.

No, not anything, of stating that policy in a paper drawn up by that person? -- Well, that is possible. I do not know. It is possible. Anything is possible.

ASSESSOR (MR KRUGEL) : Is it possible that this document may perhaps have been drawn up after you lost contact as it were, with the UDF as a result of being taken into custody? (30)

That/...

-- That also is possible. I cannot dispute that.

COURT : We have a difficulty in this respect, Mr Jacobs and Mr Bizos. The thought it might arise, it has clearly arisen now and at some stage in this case we want clarity. Because the status of these documents is determined possibly not only by what this witness says and possibly not only by in whose possession they were found, but also when they were found, because when they were found, may date these documents and where they were found. UDF head office Johannesburg, does that mean UDF Transvaal head office Johannesburg or (10) does it mean UDF National Executive Council head office Johannesburg. We have no clarity at all on what exactly was intended when you entered into this agreement between yourselves. So, you must think about it, but we want clarity as to the date when these documents were found, each and every one of them and where exactly they were found, if there was going to be a dispute whether they emanate from the Transvaal Executive Council offices or the UDF head office National Executive Council. We do not know what is meant by UDF head office Johannesburg. (20)

MR BIZOS : If I may give a provisional response to this. We admitted in relation to this what the State asked us to admit.

COURT : I understand that.

MR BIZOS : We ourselves have had considerably difficulty and this is why I believe that in the application for a discharge we took up an attitude in relation to certain of these documents and asked the State to tell Your Lordship what the status of these documents really is. We have reason to believe that there were a number of seizures of documents (30)

and/...

and also that those who seized them, did not pay any attention as to what was a National office and what was a Transvaal office. So, not unmindful of the difficulties that Your Lordship may have in relation to this, I do not know the State, having closed its case, that it is incumbent upon us at this stage to try and clarify aspects of the State case.

COURT : It may or may not be incumbent on you, but it may well be that at the end of the case, if we are left in the dark on these documents, we will have to start calling (10) the witnesses who found them. If it is important for the just decision of this case we will do so. I do not know how important it is going to be. I do not know how many documents will be involved, but I would think that it must advance your case to know that the document was found in 1985 in June rather in June 1984.

MR BIZOS : If records were kept of this by anyone, this is really the difficulty that we have, but Your Lordship's remarks will not go unheeded. We will see what the State has to say about it and what it has to show us and the last (20) thing that I think that we would want in this case is to protract the hearing the calling of unnecessary evidence. If it is a matter of clear record or if certainty can be determined, by all means it will be, but I do not think with respect that it is incumbent on us to do any investigation for the State now that it has closed its case.

COURT : That is so.

MNR. JACOBS : Die getuienis wat ons beskikbaar gehad het sal ons net nagaan om te kry, die datums vasstel en alles van elke dokument. Ek sal dit vir die verdediging beskikbaar (30) stel/...

stel. Ek mag net ook op record plaas, het mnr. Fick my gevra dat voor die erkennings gemaak is, was elke inventaris tot beskikking van die verdediging gestel. Dit is deur hulle ondersoek in elk geval voordat hulle die erkennings gemaak het. Inventarisse toe die dokumente op beslag gelê is, maar ons sal probeer om dit op te los as ons kan.

MR JACOBS : On this document now, page 1 - 2.1 the next paragraph "Often in the day to day heed of the struggle we forgot that our enemy is the apartheid system and not those with views, whose views differ from ours." So, in this (10) document it is also depicted that the enemy is the apartheid system. -- I see that.

C11. This is a document emanating from the United Democratic Front Border.

COURT : Is there an agreement on C11?

MR BIZOS : There is nothing in our copy of the schedule relating to C11.

MR JACOBS : Have you seen this document and received it? -- No, I did not.

It is a secretarial report to the National Executive (20) of the UDF on 23 and 24 February 1985. -- I have not seen it before.

Did you attend that meeting? -- I did not.

C17. This is a document found in the UDF offices in Johannesburg. There are two documents here. The first is a letter and the second is also United Democratic Front border region Annual Secretarial Report. -- Yes, I have seen it. This document was dealt with yesterday and I said that I had not seen it before in this case.

Do you agree on document 2 that it is an annual (30)  
secretarial/...

secretarial report of the United Democratic Front Border Region? -- I do.

Will you look on the second document page 3, the third paragraph. I will read the whole paragraph. "The million signature campaign is one sad fact in the story of our region. Despite all attempts to achieve the opposite, the committee charged with the responsibility totally negated all the efforts of the various activists in our area units. It is a sad fact that there can be no certainty today as to how many people actually put their names to be counted as (10) arranging themselves with UDF against the common enemy." Also in this regard, is it correct that the enemy is the State, the government in South Africa? -- Well, we can assume that may be the writer meant that, but he does not seem to explain it clearly here what he means. He does not seem to explain whether he is referring to the government, but one might assume that may be he means that.

On the clear language of this report, "it is a sad fact that there can be no certainty today as to how many people actually put their names to be counted as arranging them- (20) selves with the UDF against the common enemy." This is referring to the million signature campaign? -- That is correct.

And that was part of the struggle against the government? -- That was part of the UDF campaign to promote both itself in opposition to the new constitution, but I think we should not lose sight that the border region is largely situated in the Ciskei. The writer might well have referred to the police in Ciskei or the Ciskeian government. I do not know. I have not - it is long last since I read this document.

The campaign against the constitution of which the (30)

million/...

million signature was part was that arranged against the State, the government as enemy? Part of the liberation struggle? -- That question is not clear.

Did you in the UDF fight a freedom struggle against the government in South Africa? -- That is correct.

Was the million signature campaign part of that struggle against the government of South Africa? -- In a sense, although largely it was addressing the immediate issue of the coming election, in a sense that those elections were intended to be part of the policy of apartheid. In that (10) sense, yes.

I would like you to have a look at EXHIBIT J3. This was found in the UDF offices. J3 will you agree is part of J1 because it was a paper delivered at this National Executive Committee meeting held in Johannesburg on 10 and 11 November 1984. -- Firstly, I was not present at this meeting. I was in detention. So, I cannot speak authoritatively about this meeting. However, I have had occasion to look, to read EXHIBIT J1. There is an indication that there was an input on the political aspects of the UDF, but I cannot say with (20) certainty that the document, EXHIBIT J3 is in fact what was presented there. It may well be, I do not know.

COURT : Well, it says so at the top. -- Well, I mean in the form in which it was, it might have been an input on that. Whether it was this document I do not know.

MR JACOBS : Will you have a look at page 3 of J1. J1 is the Minutes of the National Executive Committee meeting held in Johannesburg on 10/11 November 1984. -- I see that.

Under the letterhead of the UDF National office. -- Yes, that is correct. (30)

On/...



On page 3 paragraph 4 there it reads "Input on political aspects of UDF. See attached input. Out of our discussion on the paper, the following agreements were reached." Do you agree that that paper attached is J3 on political aspects of the front? -- Well, that is the title of the paper. I agree, that is the titel of J3.

And it is the same as in paragraph 4 just referred to? -- I think the title "On political aspects of the UDF, input" - it seems like it refers to the same thing, except that the heading as appears on page 3 of J1 at point 4, item 4 is (10) not exactly the same as the title of the paper, but it may well be referring to it.

Will you accept it is the same paper referred to in this paragraph? -- I cannot say I accept that. I was not there. I do not know the paper. I cannot speak authoritatively.

Will you accept that this was found in the UDF offices? -- I cannot dispute that.

I would like you to have a look on J3 page 2, paragraph 2.2 "The masses are the makers of history. It is they (20) who must become active participants in the struggle. Without this there cannot be any successful victory. It therefore becomes imperative to evaluate or organisational activities in such a way that we draw the maximum participation of the broad masses through mobilisation, education and by mapping out in clear terms the need for unity to reject attempts by the enemy to divide our forces on racial lines." Again, do you accept that it is the language used in the UDF even in the NEC that the enemy is - the State is the enemy, the government? -- Yes, I have got no problem with that. (30)

You/...

You can also look at page 7 of the same document the paragraph "Focus on crucial issues", paragraph 10. Also there it is referred to "We need to" and the last lines of paragraph 10 "We need to organise and mobilise our people to enable them to clearly identify the true enemy." Do you agree to that that that is - do you see it? -- I see it.

And also paragraph 11 "A program of Action. Our decision is to draw up a program of action, brings to the fore important considerations, to pull our enemy both mentally and physically and direct our skills and resources towards (10) the realisation of our program, to promote our objectives, to organise our people, to examine the front, to train personnel, to challenge the State much more vigorously."

Also here it is clearly depicted that and I put it to you that the State is the enemy, the government is the enemy? -- Well, this paragraph does not say anything about the enemy, but I have on more than close on hundred and one occasions accepted that the government is called the enemy. So, it is not really an issue of dispute.

And to challenge the State much more vigorously. (20) What do you mean in the circles of UDF that the State must be challenged much more vigorously? -- Well, I do not know, I was not there when he said this, but I would understand the State here to refer to the government, but I cannot take any rigid position on that. I have not discussed this matter with the writer of the paper, but I would understand it to be within the policies and methods of the UDF. It may well be that they meant the UDF must take much more initiatives than being a pro-active, it must be more pro-active than being reactive to the initiatives of the (30) government/...

government. I am not sure what the writer had in mind.

And will you have also a look at J4. That is also an input on organisational aspects of the UDF. -- I see that.

That is also an input, a paper delivered at this specific meeting of the National Executive Committee? -- Yes, it seems so. It seems item 5 of J1 at page 4 refers to this input. I am not sure if it was presented in that form and in fact it is the type of input, the very input that was presented there.

Will you have a look at page 4 of this document. (10)  
It is paragraph H "Our emphasis should always be to seek those areas where co-operation is possible. It is important that we should continue to try and win over all progressive organisations." Is that part of the UDF policy and tactics? -- Yes.

"As far as other political tendencies are concerned, our most serious consideration should be those which have a mass base. By now we should be able to be realistic about the areas and nature of co-operation which is possible. It is our task to ensure that we and those not affiliated never (20) lose sight of the fact that the apartheid state is the enemy and that if any ideological difference to exist, we should respect those and not allow it to undermine the potential areas of unity." Is that also part of the policy of the UDF? -- It is. It is the aim of the UDF to unite all organisations irrespective of the ideologies that they follow. All in opposition to apartheid.

And the apartheid state as the enemy? -- Well, once again I understand apartheid state to refer to the apartheid government. (30)

WITNESS STANDS DOWN.

COURT ADJOURNS UNTIL 12 AUGUST 1987.