

FSS

SAAKNOMMER: CC 482/85

PRETORIA

1987-08-14

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 259

(Bladsye 13 898 - 13 953)

COURT RESUMES ON 14 AUGUST 1987.

POPO SIMON MOLEFE: d.s.s.

MR JACOBS: Before I start there are some admissions that Mr Bizos wants to put on record.

MR BIZOS: Yes My Lord I think that the original document is with our Learned Friend Mr Fick. Your Lordship will recall that we asked for certain admissions in relation to the period spent by a number of the accused in detention. This has now been agreed upon. We did not think it necessary that this is a document which any of the accused ought to (10) sign, subject to what Your Lordship may have to say, because they are really matters of record and we ask Your Lordship to receive it. We believe that it would be EXHIBIT AAS.13. 14.

COURT: Could I just get that up first.

MR BIZOS: 14. If there is no copy for the Learned Assessor I have a copy to make available.

COURT: Yes please. This document will go in as EXHIBIT AAS.14. We will read it into the record:

"It is hereby recorded that the State and the Defence are agreed that during 1984 the following accused (20) were in detention during the periods and in terms of the provisions set out below:

1. Accused no. 14

(a) 22 August 1984 to 26 September 1984. Section 29 Act 74 of 1982.

(b) 21 October 1984 to 3 November 1984. Section 50 Act 51 of 1977.

(c) 20 November 1984 to 11 June 1985. Section 29 Act 74 of 1982.

2. Accused no. 19: 2 October 1984 to 10 December (30)
1984/....

1984. Section 28 Act 74 of 1982.

3. Accused no. 20. 21 August 1984 to 10 December 1984.
Section 28 Act 74 of 1982.

4. Accused no. 21. 26 August 1984 to 26 September
1984. Section 28 Act 74 of 1982."

FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Molefe we were busy with EXHIBIT C.102 yesterday and with the statement of the UDF National General Council in this document. Mr Molefe do you seriously want the Court to believe that since 1983, August, when the National, UDF National was launched this (10) was never discussed, this National Convention, in detail?

-- The National Convention?

I beg your pardon? -- The National Convention?

Yes. -- The details of that National Convention have not, were not discussed. The principle was discussed and the UDF was really all the time struggling to get acceptance for that principle. In fact by 1984 the matter had been referred further to regions for further discussions. The discussions were taking place but there had been a number of happenings which interrupted those discussions, these happenings being (20) firstly the campaigns of the UDF itself, the million signature campaign and the campaign against the Tricameral Parliament. That kept the UDF preoccupied from the beginning of 1984 up until my arrest. Then there were other happenings which related to the arrest of the leadership of the UDF, which disorganised the structures of the UDF in 1984 and the further arrests in the beginning of 1985. There was a general consensus on the agreement on the broad principle, the principle of a National Convention but there had not been thorough discussions into the details, the mechanics, of (30) that/....

that Convention. Those who believed that they would be discussed in the course of time and they could also be matters that once the principle has been accepted it would then be looked into.

And if, had the UDF discussed the implications of the conditions Mr Molefe? Before setting them? -- Those details were not discussed in a formal setting. However it was generally accepted that they were subject to negotiation.

And I see that the condition or the pre-condition that the South African Police and the Defence Force must be (10) disbanded is also reaffirmed in EXHIBIT 102, C.102 in the statement of the UDF National General Council. -- I see that.

Mr Molefe if I understand your evidence correctly you said yesterday that you knew nothing about this statement? -- That is not true.

What do you know? -- All I said was that I was not there when the statement was drafted but I did see the statement at the time of the press conference, after it had been adopted.

How long after it had been adopted? -- On the same day that it was, that it had been adopted. Because I understood (20) it was adopted some time on Sunday. That was the last day of the conference.

And in what form did you see it? -- Well I saw it in this form.

Did you have a copy of it or what do you mean? -- There was one copy that the National Publicity Secretary read to the newspapers at the press conference. I had the occasion to look at it.

Was this statement of the National Executive, UDF National General Council read out to the newspapers? -- Yes it was. (30)

In/....

In the form it appears here? -- That is so.

And was it handed over to you? -- No, no it was not handed to me at that time.

Did you receive a copy of that? -- I received a copy much later in the form of this booklet, this whole exhibit here, C.102.

But not in the form ... -- As part of ...

As part of the book? -- As part of the book.

And not in the form like it stands here, the two pages as they stand here in EXHIBIT 102, C. 102? -- I cannot recall(10) it. I might have received it with a set of minutes which I got just the day before my arrest. I had not perused it, it might have been part of that, the package. I am not sure.

Because I am going to put it to you that EXHIBIT AAA.15 that was found in your possession is a copy of this statement of the UDF National General Council, that was found in your possession? -- That is so. Well I do not dispute that. All I am saying is that I did not receive a copy at that time when it was presented to the press conference and I indicated that I might have received it a day or so before my arrest (20) as part of the package of the minutes of the NGC.

Did you receive documents of the UDF while you were in hiding on a regular basis Mr Molefe? -- Not on a regular basis.

So why was this then brought to you? -- Well this one was brought to me because I actually went to the office on 19 April and I made arrangement that I should get it and I got it I think on Monday the 22nd of April. I need also to indicate that we had not had a very efficient, an efficient administrator in the office and in fact by February or March she resigned from the UDF, she left the UDF so that between(30)

March/....

March and April we had no full time person at the office of the UDF, the national office of the UDF. It is for that reason that after the NGC Cheryl Carrolus(?) was asked to act as an administrator.

Mr Molefe who were looking and typing all the documents of the UDF in the office? For instance this report, who was responsible for the typing of that? -- Well I do not know precisely who typed it but we had Cheryl Carrolus at the office.

But all the other, during the period that you were (10) in the UDF offices, who were the persons responsible, the person or persons responsible for the typing of letters, documents and everything? -- When I was at the office of the UDF different people did it. At one stage it was done by Mr Lepunya. When he left the office of the, the national office of the UDF I think during June 1984 we got Esther . Maleka to do all the typing for the UDF but then she left the UDF during February or March 1985.

Is it only one person responsible for all the typing of UDF documents? -- UDF national, yes. (20)

Pamphlets and all the other documents, papers? -- Well pamphlets were normally, we had a photocopier there. If they were just little pamphlets where we needed to print a few. In the event that we needed to print a lot of pamphlets we normally went to a printing company, Shaum's(?) Printers in Benoni. There was also of course the media end resource services project which from time to time the UDF approached to produce something for it.

What is a media and resources programme? -- It is a media project, as the name suggests. It has to do with they, (30)

they/....

they train people on media skills, how to produce media, how to write pamphlets, how to, on laying out of publications and so on, all on media related matters.

COURT: Who set up this concern? MARS? -- As I understand it it was set up by independent individuals, among them Guy Berger.

Guy? -- Guy Berger, G-u-y B-e-r-g-e-r.

B-e-r-g-u-y? -- No, no, B-e-r-g-e-r. Berger.

MR JACOBS: Who else Mr Molefe? -- I think one of them was Toby, the other people were working there really, I do not (10) know if they were party to the setting up of the project.

COURT: Toby? -- Toby.

T-o-b-e-i. -- I do not know whether it is one b or double b.

Tubby? T-u-b-b-y? -- I think it is T-o-b, possibly bb-y, or one b and ei, I am not sure of the exact spelling.

MR JACOBS: And his surname?

ASSESSOR (MR KRUGEL): Toby or Toby? -- Toby.

MR JACOBS: And his surname? -- I cannot remember the surname now. (20)

Do you know whether there was a person by the name of Radcliffe as part of this? -- Yes, yes I think that is the same person.

COURT: You mean that is Toby? -- Yes.

MR JACOBS: Auret Van Heerden was he part of that? -- I do not think he was part of it. I do not know.

ASSESSOR (MR KRUGEL): Auret Van Heerden. -- I do not think he was part of it. I am not sure. I do not know the details of what is happening there.

MR JACOBS: And you said the Media and Resources Centre, (30) they/....

they did a lot of work for the UDF? -- I cannot say a lot. They did work for the UDF from time to time. I have not had the occasion to measure that as against, to compare that with the work that was done by other printers, printing companies. But I must indicate that they were doing work for anybody who would come to ask them. They were not set up as a project of the UDF. They were an independent project. They were not under the control of the UDF.

COURT: Did they work for profit? I mean were they there to make a living and to make money out of it? -- I believe they(10) were making money, we were paying them for what they did for us.

MR JACOBS: Did you only pay for the material or did you pay for the work as well? -- I believe we paid for the work as well. I did not really deal directly with matters relating to payments to check whether this much is for labour, this much is for the material. They would just submit invoices and I would take those invoices and given them to the National Treasurer. Sometimes they would send them directly to the Treasurer themselves. (20)

So you in actual fact do not know if it was only for materials or otherwise? -- I am not certain about that.

And Guy Berger, was he attached to the UDF in any other way? -- I think, ja he was in the media committee of the UDF.

COURT: Of which UDF? -- I think he was helping both the Transvaal and the National UDF. I remember at one stage of the meeting of the National Secretariat, just before the anti-election campaign we proposed that he be approached to co-ordinate the media for the election campaign in 1984.

MR JACOBS: And Tony Radcliffe, was he attached to the (30)

UDF/....

UDF in any other way? -- I have got no knowledge of that.

Do you know whether he was part of the media committee?
-- I am not sure about that.

Now the media committee you mentioned did the UDF have its own media committee? -- That is correct.

What were there duties? -- Regions had media committees. I think I must say regions, regions had media committees. Their duties was to produce UDF media. When there are meetings of the UDF they would produce pamphlets, work out pamphlets for those meetings, posters, and organise media (10) workshops.

Now you mentioned in your evidence earlier that MARS, that is the Media and Resources Centre, Services, Media and Resources Services did train people, is that correct? -- Yes. For media skills, yes.

Now ... -- Although I have never been present at any of those skills, I understood that they were training people.

Now the people that they were training, were they the people from the affiliates of the UDF? -- I believe so. They had made appeals from time to time to people in organisa- (20) tions to come forward but I think they were doing also work for people who were not in the UDF, like in the trade unions and so on, and other organisations. But as I say I was not directly involved in those affairs.

Mr Molefe can you tell the Court was there any connection between Auret Van Heerden and the UDF? -- No he was not representing anybody in the UDF, in the organisation of the UDF. He was a supporter of the UDF in a sense.

And then you mentioned the Media Committee of the UDF, that they were arranging workshops. What workshops were (30) they/....

they arranging? -- Well workshops relating to the production of media, how to write out a pamphlet and how to write out a newsletter and so forth, media skills. I myself have got no experience of that. I have not been part of that but I would assume that it relates to those issues.

Did you attend any media workshops arranged by the Media Committee? -- No I cannot recall sitting in any media workshop.

Did you address any workshop of a media committee? -- Myself? (10)

Yes. -- No, no, I addressed, no I have never addressed the workshop of the media committee.

Do you know if accused no. 20 is connected to the media committee? -- In a sense he is connected in that he is not a member of the media committee but as a National Publicity Secretary he would from time to time meet with people from media committees especially when he discusses the printing of the UDF news nationally.

Was he in control of the media committee? -- Well I do not know what control means. (20)

COURT: Well did he pull the strings, did he have the say on the media committee? -- I do not know how far it extends but insofar as the production of UDF news was concerned for UDF National and in respect of the policy statements of the NEC he would have control in that respect. But insofar as the whole question of gathering the news and interpreting other things that go into that publication I do not think that that was his duty. That would have been the duty of people who are producing the media and they would gather the news from whatever quarter, from individuals and so forth, (30)

various/....

various parts of the country.

MR JACOBS: Do you know who were the members of the media committee? -- Which media committee? I indicated that regions of the UDF had set up their own media committees. Which one is counsel referring to?

Can you give us both? -- All the regions?

No, the National one and Transvaal?

COURT: Is the position then that there was not a central media committee, but there were only separate media committees in the various regions? -- That is how I understood it, 10 and then when there was a need to produce national media, representatives from media, regional media committees would come together to agree on the content of the publication, especially with regard to the issue that was of a national nature, of a national character.

MR JACOBS: Now, who will call them together on national matters? -- Guy Berger was asked to do that from time to time, although they would consult with the national publicity secretary from time to time. As I say, I cannot give the full details of that because I personally was not directly 20 involved.

Now, do you know the members of the media committee Transvaal then? -- I recall those two that I have mentioned.

COURT: That is now Radcliffe and .. -- Toby, Berger.

MR JACOBS: Is that the only two that you know? -- That is the only two that I can think of at this stage.

Who was responsible for the contents of the UDF News National? -- The media committees come in together, representatives of the media committees from the regions, would deal with that. In fact the UDF National News, although it is 30 called/...

called the UDF National, when it came to the actual printing thereof, it was really done by the regions. It was only UDF National insofar as the NEC or the national publicity secretary representing the NEC would write a policy statement on a national issue, say maybe the issue of the elections for the tri-cameral parliament or maybe the NEC decides that the major focus should be the election against the Black Local Authorities. That article or maybe a letter to the candidate would come from the NEC, but then once they got this national article, they are free to include into that publication 10 matters which pertain to the conditions in the areas in which they operate. So that would really be the medial committees themselves that become responsible for the content of the news into a publication of that nature. Very often regional executive committees would also discuss the possibility of printing out a UDF News in that region, and that would be determined by the money that is required to do so. Once they have done that and they agree - also the regional letter - that we as the regional executive want to put in this point, this statement, they do that, but the rest of 20 little news like what happened in Pretoria, what happened in Soweto, about rent, about electricity and so on, it would be a matter that is handled by people in the media committee, by gathering the news from individuals in the townships or organisations in the townships.

Do I understand you then to mean that there is in actual fact no UDF News National? -- I am not saying that. I am saying that we have what we call UDF News National, where the NEC meet and agree that it has got to produce that, but it is not printed at a central point. For purposes 30 of/...

of convenience it has got to be printed in regions because it would cost a lot. If you print it in Johannesburg you have to pay for taking it to the Western Cape, you have to pay to take it to the Northern Cape and so on, and very often we have problems with the police, they confiscate these things and then they keep them for a week, they bring them after a week, and this causes a lot of inconvenience. So that it was easier to have regions printing rather than that being done directly by the National. However, there were other regional UDF News's which when printed would not have to be printed by each region. A region would decide that this month we think we want to print, we have got money to print and they go ahead. Maybe two months later Transvaal decides to do the same. Another month later Natal does the same, but when we talk about UDF National, we are talking about a publication that when the NEC decides that it will be printed, it is expected that each region will print it on or about the same time. 10

COURT: What is the name of the national newspaper and how is it distinguished from the regional newspaper? -- It will have National, it will be written UDF National. 20

UDF News National or UDF National? -- It would have UDF News National.

Otherwise it would read UDF News Transvaal for example? -- That is correct. And I must also indicate that the UDF did not really have full-time journalists or people who were working on the UDF publications on a full-time, on a permanent basis. It was really an in-house publication that was coming out as and when it was deemed necessary and funds were permitting. 30

Was/...

MR JACOBS: Was any person appointed by the National Executive to see to the bringing out of the UDF National and to see to the articles that are published in it and so on? -- The national publicity secretary was the person responsible for publicity in the UDF and as such he took responsibility for all national UDF statements in the publication, but he was not, as I understand, responsible for the gathering of all the other news that would be contained in the publication. It is really something not different from in-house publications like that of say maybe the Anglo American, say Optima. 10 You would have the main article that deals with the company. That presents a policy position of the company in respect of issues at hand, but then those who are handling the publication would go out and pick up some news about what is happening in Soweto, what is happening on the mines and so on, and give their own interpretation to that. That part of it must not become the part of the policy position of the company. It is what is written by the people there who are responsible for the production.

COURT: It might be regarded as the policy position of the 20 company if it deals with policy, unless it is repudiated. Should it touch upon policy and not on mere factual matters, it might be regarded by the public as the policy of Anglo American unless it is repudiated. -- It may.

And the same applies to the UDF News? -- Well, it also depends if a particular aspect of a thing did come to the attention of those who make policy, because sometimes these things happen and nobody notices them.

Well, I can expect it that somebody - that they do read their own newspaper. But now, UDF News, was it distributed 30 only/...

only to the affiliates or was it distributed to whoever was interested? -- To whoever was interested.

So it was not an in-house publication as such; it was widely distributed, was it not? -- What I really intended to say was that it was not a commercial thing with full-time employees.

Well, then you must call it a shoestring operation and not an in-house publication? -- I think Your Lordship is correct.

MR JACOBS: Was the UDF News national and regional, was it distributed free of charge? -- That is correct. 10

And was it expected of the other regions of the UDF to send articles to the UDF News for publication? -- Other regions?

Yes, either on a national - UDF National and UDF Region? -- I am not certain about that. My explanation was that the NEC concerned itself with the NEC policy statement and then the regions would deal with regional matters because the regions would actually be printing that, but in respect of for instance a region like the Northern Cape, we might have said for instance that the Northern Cape should, because it is nearer to the Western Cape region of the UDF, and it was not as developed as the Western Cape, it should send their own statement, the news to the Western Cape and then the Western Cape would produce UDF News which would be distributed in the Northern Cape as well. 20

ASSESSOR (MR KRUGEL): Mr Molefe, do we have it correct then, if the National Executive would want a statement printed as UDF National News, the statement would be drawn up by the publicity secretary and sent to all the regions 30

for/...

for publication? -- That is correct.

And they will publish in their regions and distribute there? -- Yes.

And what about the national office? Would you then get for instance your copy of the publication from one of the regions, for instance Transvaal? -- Well, Transvaal was much nearer. One would from time to time get a copy, although I cannot recall any special arrangement in that regard, but one was getting a copy from time to time.

But you did not publish directly from the national office? -- I cannot recall. 10

Did you not arrange for publication of for instance UDF National News? -- I personally?

No, I mean the national office now? That would be Mr Lekota, I suppose? -- Well, in a sense that the NEC would take a decision that it wants to have a UDF publication, UDF National publication, in that sense the national office would be involved.

But the actual production would be done in the regions? -- Yes. 20

COURT: Would the NEC then also vote a certain sum of money or would they just say, we want a publication and leave it to the publicity secretary to see what he does about it, in the light of the available funds? -- I think what the position was, was that once it had agreed, once it had been assured by the treasurers that there was enough money to print, then the national publicity secretary would then assess the cost and deal directly with the treasurer on how much is paid for that. I cannot recall a situation where the NEC had to sit and say, we vote X amount. I think the 30
discretion/...

discretion was really by and large left to the treasurer.

MR JACOBS: Mr Molefe, is it correct that the national office of UDF will receive copies of every UDF published by the regions?

COURT: UDF News?

MR JACOBS: UDF News. -- I cannot say so.

Otherwise how would you know whether a region is still adhering to the UDF's policy and so on? -- Well, we did not have any reason to believe that any region would go against the policy of the UDF at that stage. However, I think the national publicity secretary, he is the one who can deal with those matters because he would know how he dealt with the issue. I cannot deal with the details relating to that. But as I say, we operated on the understanding that the policy of the UDF was properly understood. There was no reason to suspect that people could go against - any region could violate the policy. 10

And Mr Molefe, would you say that a lot of propaganda is also used in the UDF News? -- I do not know what the question is. We dealt with my conception of propaganda, if learned counsel means, did the UDF use UDF News to put across its views on matters, yes, it was used. 20

Was it not an important function to use the UDF News as a media for propaganda against the Government and the plans of the Government? -- What is this propaganda? Is it in terms of the way I am putting it, to present the UDF views about the policies of the Government? If that is the case, yes, they were published in the UDF News.

And also in the sense of depicting the Government as a bad government, as an oppressive government and so on? -- 30

Well/...

Well, I have a difficulty with this depicting the Government as this and that. We have criticised the policies of the Government, the policies of apartheid. We did that openly, not secretly. We said that apartheid was bad, the Government was wrong by pursuing the policies of apartheid and apartheid is oppressive to us, the Government is oppressing us by the policies of apartheid. We have said that.

Now, except for the UDF News, are there any other publications that are brought out through the medium of the media committees? Let us get it first, on a regular basis? 10
-- Publications?

Yes? -- Would that refer to pamphlets or just publications?

No, other publications like the UDF News on a regular basis? -- Well, as I understand it, during the period in which I was with the UDF, there were really a few publications that the UDF produced. One publication that was produced by the media committee related - in fact two related to the million signature campaign. I think those are EXHIBIT "W52" and "W53" in this case. They dealt with the million 20 signature campaign, and they were the Volunteer's Handbook and the Organiser's Handbook respectively. Then of course there was the publication that was produced by the region of the Western Cape for UDF, just after the national launching conference. There had been also a brochure that really related to the program for the conference that took place in Cape Town in 1983, the launching conference. Those then are the only publications that come to mind as I stand here, and those were not produced on a regular basis. They were produced for those specific happenings, events after which 30
they/...

they were not printed any more.

Mr Molefe, do you know anything about the UDF Update?
-- I know that there had been a recommendation from the
publicity secretary arising out of - there had been a recom-
mendation from the media committee. It reached the meeting
of the national secretariat through the national publicity
secretary, which recommended that the UDF must consider
producing a publication called UDF Update, but right up to
the time of my arrest no single issue of that had been
produced, and I cannot recall the NEC actually taking a 10
decision on that.

Do you know whether it was published subsequently to
your arrest? -- I have seen a publication that was submitted,
here as the UDF Update. I have got no personal knowledge.

Now, the UDF Update, was it to be a publication on
behalf of the UDF National? -- The recommendation was that
it be that, but as I say, I cannot recall any decision taken
by the NEC in that respect.

Do you know anything - why it was necessary for the UDF
Update to be published? -- I am not sure of the motivations 20
as I stand here.

COURT: You have seen it, or a copy of it. What is the
difference between the UDF News and UDF Update? -- I have
not really studied it and done that comparison. I am not in
a position to say.

MR JACOBS: Now, except for the publications now ..

COURT: Just a moment. Why was it recommended that apart
from UDF News there be a UDF Update? Why duplicate things?
-- I am not sure of the motivations, but as I understand it
possibly the UDF Update was to be what then we could describe 30
as/...

as in-house publication, the one that would be distributed amongst the members only, affiliates only. It would not be a thing that would be distributed to the public. But I am not sure as I stand here as to the full motivations.

MR JACOBS: Mr Molefe, the UDF media committee, was it also supposed to publicise documents popularising the UDF? -- Well, in the sense that it would publish the views of the UDF, yes, and say maybe report about the meetings of the UDF, in that sense, yes.

And the popularising of the UDF amongst the people, the masses? -- Well, those who come across that, they would read about it in the UDF News. 10

But was it agreed .. -- We wanted to popularise the UDF at that - using different sorts of methods, through publications, through pamphlets, through speeches at meetings, through discussions with individuals in their homes, through small meetings with small groups of people, through meetings with foreign diplomats and so on. There were really all sorts of ways of popularising the UDF.

And was it one of the duties of the media committee to publish articles on the campaigns of the UDF? -- Yes, it would report on the issues that the UDF is taking up. 20

And was it also their duty to publish pamphlets and articles to popularise the leaders of the people? -- We have never taken a decision where we say we want to popularise the leaders of the people. I cannot remember any discussion taken and a decision taken that we will popularise the leaders of the people.

COURT: Was there at any stage on the NEC an objection against the editorial policy of the UDF News, of any UDF 30

News/...

News? -- I cannot recall any such objection, but I recall that there had been an objection to one pamphlet produced by UDF Transvaal relating to Inkatha, and I think the title of that pamphlet was "What is Inkatha up to?" It had been produced by UDF Transvaal and the NEC objected strongly to that pamphlet and the region apologised and undertook that it would not produce a similar pamphlet again.

MR JACOBS: What was the objection to that article of pamphlet? -- Maybe I will have to look at it. I cannot remember, or maybe refer to the minutes, if that is minuted, but I 10 think the substance of the pamphlet really was an attack on, I think Chief Buthelezi and Inkatha, and the UDF was not - in the view of the UDF that was not a proper approach.

ASSESSOR (MR KRUGEL): Chief Buthelezi, this objection to the article, is Chief Buthelezi not also mentioned in various other of these documents that we have seen? -- Well, he is, but ..

And he is attacked there? -- He is being criticised, but not in the sense in which that pamphlet was doing it. I think it was rather unacceptable the way it was doing it, 20 and also it was happening at a time when there was too much tension between the UDF and Inkatha. We did not want that to increase.

MR JACOBS: But Chief Buthelezi was regarded by the UDF and made out to be a puppet. Is that correct? -- He might have been, yes.

Do you not know? -- He might have been.

You do not know then? -- Well, I believe he was.

And he was regarded as such? -- Yes.

Can you tell the Court, did the UDF submit any articles, 30

UDF/...

UDF National first, submit articles to other publications like Speak and The Eye and SASPO National and so on? -- Not as a rule. As and when the UDF had something to publish, that it gave to other newspapers, Commercial Press and so on, if that happened at the time when those newspapers were also coming out, it would be carried in those newspapers. I may also indicate of course that as community newspapers they were more inclined to reporting on the happenings in the communities in the organisations, in the UDF, than for instance would have been the case with maybe Beeld or The Star. 10

COURT: What is Speak? -- It is a community newspaper that - it is regionally based, I think it circulates really in the Johannesburg area, various places like Lenasia, Eldorado Park, Bosmont, Newclare, Johannesburg.

Does it cater mostly for the Indian community? Indian/ Coloured community? At what group of readers is it directed? -- Well, it is really directed at everybody, Africans, Coloureds and Indians as I understood the contents.

Is it what you call a commercial newspaper? -- No, it is not a commercial newspaper. It is a community newspaper. 20

Is the difference between a commercial newspaper and a non-commercial newspaper that the one attempts to stand on its own feet by obtaining advertisements and the other not? How do you distinguish between a commercial and a non-commercial newspaper? -- As I understand it, a commercial newspaper would have as its primary objective to make a profit. It would of course have extensive financing with shareholders in it, funding with shareholders in it, and a community newspaper would really be a newspaper whose primary objective/... 30

objective is to report about what is happening, and it seeks to be able to get as much as it could be able to produce more copies for the next time, and it relies on contributions from individuals. It has got no permanent financing system. It would not have shareholders for instance.

But now Speak, who owns Speak? Somebody must own it? -- Once more I have not looked into the details thereof, but I know that the person - there was one person who had been always at the head of that. It was - I have been in gaol for a long time. I am forgetting some of these names, 10 anyway, an Indian chap from Lenasia. I have forgotten the name - Phasel Mamdoo. I think they had a management committee that was running the paper, but he was the key fellow, I think the editor of the paper.

If he did not do it for profit, for what purpose would he do it? Was it then to advance a certain point of view? -- Alternative ideas as to how the Black community sees things, alternative to the views as projected by the White-controlled media, the commercial media.

Would the White-controlled commercial media include The 20 Sowetan or The City Press? -- Well, in a sense, although they are relatively semi - there is some difference in the sense that they have got Black editors, City Press and The Sowetan have got Black editors, but really they are owned by companies that are controlled by White people.

So are they commercial press or non-commercial press? -- They are commercial press. They make a profit.

MR JACOBS: Mr Molefe, the Transvaal Indian Congress, are they not the people in actual control of Speak and publishing Speak, like the UDF is in control of the UDF News? -- I do 30

not/...

not know. I do not know if the Transvaal Indian Congress has got to do with that.

And can you tell the Court, this Mr Mamdoo, is he part of the executive of the Transvaal Indian Congress? -- I do not know. I did not know him as such. But I think we have got minutes of the TIC here as exhibits. Maybe that could help us, to see if his name appears.

COURT: No doubt counsel will look it up, should he be interested.

MR JACOBS: And The Eye, is that a commercial or a community paper? -- It is a community newspaper. 10

Do you know which organisation is responsible for publishing it? -- I think an organisation called Afrinews is responsible for publishing that.

COURT: Which community does it circulate in? -- In Pretoria mainly.

MR JACOBS: Do you know whether Mr Matheson Marobe was on Speak's management committee? -- I do not know. He may well have been. I do not know.

And SASP National, do you know which organisation is bringing that out? -- I think the organisation is called SASPO, that publishes that paper. 20

COURT: Is that directed at students? Is it a student newspaper? -- I think it was intended for that.

MR JACOBS: And there is another publication SASPU Focus? -- I think that one also is produced by the same organisation, SASPU.

ASSESSOR (MR KRUGEL): Do you know what SASPU stands for? -- It stands for South African Student Press Union.

And another publication Grassroots, do you know who is responsible/... 30

responsible for that one? -- It is - at some stage it was a person called Leila Patel. I am not sure who took over when she left it, because then she became a lecturer at the university.

I can think of another one, The State of the Nation. Do you know ..

COURT: Just a moment, Grassroots, is it a community newspaper? -- That is correct.

And so are the SASPU National and SASPU Focus? -- That is so. 10

And Grassroots is directed at? -- It is based in Cape Town, I believe directed to all communities in Cape Town.

MR JACOBS: Leila Patel, do you know whether she is a member of FEDSAW, that is Federation of South African Women? -- I believe she is.

On the executive? -- I do not know if she is on the executive.

And The State of the Nation? -- I think that one also was produced by SASPU.

Also a community paper? -- In a sense, yes. I think it 20 came out very rarely, maybe - I saw just very few of the copies of that, maybe once or twice a year.

And do you know whom they address? Students or was it the public in general? -- I think broadly the public. I am not certain.

All the organisations who brought out these newspapers, were they affiliated to UDF? -- I think at the beginning, at the beginning they were. I cannot recall how many we have mentioned here. We have mentioned too many, but a number of those were affiliated to the UDF from the beginning and then 30

up/...

up until around June or July 1984 when it was felt that .. organisations should not be part of the UDF because they were serving organisations much broader than the UDF itself and being seen as part of the UDF might jeopardize their relationship with other organisations which required their services.

And is it correct that they all support the UDF policy? -- I do not know. I do not know if they all support the UDF policy. At the time of its launch they did. I do not know what happened after. Some of them did of course attend 10 meetings from time to time as observers. One cannot say that they continued to support the policy of the UDF.

Do you know why they published the different SASPU publications, SASPU National and SASPU Focus? -- I do not know.

Now, the Media and Resources Centre, MARS, do you know of any publications .. -- M'Lord, may I put down this exhibit? I have been carrying it. I thought I was going to be asked questions about it.

We are going to come back to it. The Media and Resources 20 Services, did they bring out any publication on a regular basis? -- I do not know. I do not know a publication by Media and Resources Services.

Mr Molefe, you said another - I have already asked that one. There was also - you mentioned - an education committee in the UDF? -- I cannot recall mentioning it here, but there was one.

Who were the members of that education committee? -- My colleague Chikane was - no 21 was a member of that committee.

In what capacity? -- I do not know the exact position 30

he/...

he held, but he was a member of the committee.

COURT: Was this now a committee of UDF Central or of UDF..
-- UDF Transvaal.

MR JACOBS: And was it also working for the UDF National? --
I know of no situation - it was attached to UDF Transvaal.
I know of no situation where the National UDF asked it to do
anything for it.

Now, you mentioned accused no 21. Do you know the
other members of this committee? -- I think Amos Masondo was
a member there, and Mike Rusos. I do not know if Mahomed 10
Vali also sat in that committee. I am not certain.

COURT: And Mr Mkondo? -- No, I do not think he was a member.
No, he was not. He was not a member.

MR JACOBS: Anyone else? -- No, those are the names which
immediately come to mind.

Was there not a person Liesel or Lisa? -- I do not
know. I do not know if she was a member of that committee.

Do you know whether a Benita Pavlevecic .. -- I have
never learnt to pronounce that surname myself. I thought
maybe the Court would be able to help me. I do not know if 20
she was a member of that committee.

Do you know her? -- Yes, I know her.

Was she attached to the UDF? -- I think she was in the
conscription, Transvaal Conscription Committee or so. In
that sense she was attached to the UDF.

THE COURT ADJOURNS. THE COURT RESUMES:

POP SIMON MOLEFE, still under oath:

FURTHER CROSS-EXAMINATION BY MR JACOBS: I think we came to
the education committee. -- May the question be repeated?

I think we came to the education committee, that was 30

one/...

one of the committees of the UDF. -- UDF Transvaal.

What were the functions of the education committee? -- I am not quite au fait - I am not conversant with what it was doing, its activities.

Do you know nothing about it? -- I can speculate.

Now, can you tell the Court, workshops, why were they important? -- Workshops are really forums where people debate issues, to clarify their own minds about certain issues and to share views with others. In a sense really I think they allow for a situation where people can inform 10 themselves on those issues that they were not clear of. Say for instance if a workshop is called to discuss the UDF, then people can discuss and raise all sorts of questions about the UDF and those questions can be responded to, and they could also be informed fully on what the UDF is all about. In a sense really they allow more time for discussion than a situation where a person is simply at a mass meeting where he is not taking part directly.

Is it correct that the UDF set great store on workshops? -- May the question be repeated? I cannot understand the 20 question.

It was very important for the UDF to hold workshops? -- It is important for any organisation, yes, to the UDF as well. It is not something that was a speciality to the UDF.

And the workshops, were they usually held for the people in the leadership of the organisations and affiliated to the UDF? -- I do not know if they were held specifically for people at the leadership of the UDF. I was not party to those workshops.

There must have been a reason and you must have known 30
as/...

as the secretary why you were holding the workshops and for what purpose? -- I was the national secretary of the UDF. There were regional secretaries of the UDF. Our organisations are organisations of people who are working, who are employed. When we meet, in our meetings we have got no time to go into the little details relating to every little thing that a region is doing. We concern ourselves with broad policy issues. A region might say, we held a workshop maybe to discuss the removals. We would not sit there and go into the details, what was the content of the workshop, what papers were presented there, who said what, what did you achieve. If we do those things, we would simply not be able to finish our meetings on weekends when people have got to go to work. 10

Is one of the purposes of the workshop not to train leaders in the different organisations? -- In a sense, yes, people whose thoughts are clarified and they get a better understanding, they may well become better leaders.

And how to carry out the policy of the UDF? -- I do not know if that is what is done at workshops. 20

Mr Molefe, I would like to go back with you where we got on the other track, to the national convention. The national convention is very important to the UDF in principle. Is that correct? -- It is very important, yes, as a method of resolving the conflict in South Africa.

And is it correct that according to the views of UDF it is the only method of resolving the conflict in South Africa as said by you? -- As we see it, as we saw it at the time, yes, that was the only method, and I believe even now it is still the best method of arriving at a solution. 30

And/...

And it is generally accepted and well-known in the leadership of the UDF and the leadership of affiliated organisations, this principle of the UDF? -- I believe it is broadly understood. There may be others who are opposed to it like the person who presented the argument we read, I think it was in EXHIBIT "C37" or so.

And it is also extensively propagated by the UDF, the idea of a national convention? -- Yes.

And is it correct that the national convention is generally regarded and propagated in the UDF to prove the reasonableness of the UDF? -- Well, I do not regard that as the aim, but the aim is that we consider that to be the best method. It is for that reason that we propagate it, not because we want to project ourselves as people who are reasonable, although the call itself, it is a reasonable call, but we did not sit down to say, we are doing it because we want to project a face of reasonableness. 10

Is it not so that you propagate UDF as a reasonable organisation? -- Well, we might have said so. We are a reasonable organisation, but I do not know of a situation - I cannot recall a situation where we said that we must propagate the national convention because we want to project ourselves as reasonable. 20

COURT: Is by "reasonable" meant "moderate"?

MR JACOBS: Moderate.

COURT: And not extreme or radical, or what do you mean by reasonable?

MR JACOBS: Yes, a moderate organisation.

COURT: Does your answer hold good for that, the question in that sense? -- We regard ourselves as a moderate organisation 30

and/...

and our demands, we regard them as being moderate demands, and we have been extensively criticised and hammered publicly by other who do not agree with us on those issues.

MR JACOBS: And is it also used by - the national convention used by the UDF as proof of the fact that the UDF is a peaceful organisation because they adhere to the national convention? -- We do not use that as a proof. We are a peaceful organisation and that is a method that we put across as the best way in which the violent conflict in this country could be resolved. I think the question, the way it is put, suggests that it was a concocted strategy intended to project what was not the real intention of the UDF. We are a peaceful organisation and the methods that we use to arrive at a solution are peaceful methods, and we believe and honestly so, that the national convention was the best method of arriving at the solution of the problem. 10

And on the contrary, it is used, the fact, the national convention is used in the propaganda of the UDF to point out that the Government is not prepared to accept it and that is the reason for the bloodshed and oppression in the country? -- That is not UDF policy. 20

But it is so propagated? -- By whom? I do not know.

By the people in the UDF? -- I do not know.

ASSESSOR (MR KRUGEL): That the Government is not prepared to accept what?

MR JACOBS: The national convention, or to accede to a national convention. -- As far as I am concerned the issue of the national convention is a serious matter, and we consider it very seriously, and we believe that it has got to be considered by the Government as the best way of ending the/... 30

the conflict. For this reason we have from time to time raised the issue, in public meetings, in our documents we have referred to it, and I disagree with the proposition of counsel that it was used to prove that the Government was unreasonable. We ourselves have argued the issue of the national convention at the risk of being discredited, in the face of heavier facts from other organisations regarding it as a reversion once more to the period of delegations with petitions to the Government and so on. But we remained committed to the issue. We refuse to be detracted from that path. It is not as if it was just an easy thing that was accepted. It was thoroughly debated, argued against by others. Your Lordship will recall, here is some argument that we read yesterday, a similar argument had been raised many times. 10

Do you accept that it is propagated that because the Government did not agree to the national convention or is not prepared to agree to the national convention, that is also cause for the harrassment that the Black people undergo? -- I have a difficulty in understanding the question. 20

Is the national convention linked up also with the harrassment, the issue of harrassment as you put it? -- In what sense?

Because the Government is not prepared to accept the national convention, there is harrassment of the people? -- No, the question of harrassment is not tied to the issue of the national convention. It has been taking place many years with or without the national convention, harrassment would go on. All one can say is that if a national convention is called and the problems of the country are resolved peacefully/... 30

peacefully and everybody has got a vote, we would not have a situation where the Government has got to send police day and night guarding people who are operating in organisations, planning how they could end apartheid, listening to people speaking against apartheid, detaining people, to torture them to say certain things about other people or about their own organisations. Those things will not be there once a national convention has been called and the issues have been discussed. So that one may talk about harrassment, we cannot tie harrassment to the issue of the national convention. We cannot say it is there because the Government has not called the national convention. It has always been there, but we may of course, we can say that if a national convention is called, that harrassment will come to an end, especially harrassment based on apartheid policies or reaction to apartheid policies by those who do not have a vote, and then the police trying to suppress them. 10

Is it not also linked up to the question of conscription, that if the Government agrees to a national convention then there will not be any need for conscription? -- I believe so, that if the Government agrees to the question of the national convention, what the Government considers to be their enemy, that is fighting against the Government forces, a thing that necessitates compulsory military service to young White people, Indians and Coloureds, would not be there if a national convention is held because conflict will end. There would be no reason for us to be running around on the borders and in the townships and suppressing communities in their meetings and so on. We will have a situation where there is peace in the country, a situation where 30
only/...

only those who want to take military as a profession, we will actually have a situation of voluntary military service.

Is it not so that the national convention is also linked up to the campaign against Black Local Authorities, that if the Government will agree to a national convention, then it will not be necessary for this campaign to be run? -- In a sense that is the position. If a national convention is held, the purpose of that convention would be to lay the foundation of a constitution that would be acceptable to all the people of the country, a constitution that would lay a proper basis for even local government structures, which would operate more or less on the same levels as those that are more advanced presently. So really it would be intended to develop those structures and have a meaningful and effective structures at all levels, so that in a sense really, if the Government was to call a national convention, there would be no need for people to from time to time organise boycotts of elections and so on. Those problems would disappear.

Do you agree that the national convention is also linked up to the question of removals, in the same sense, that if there is a national convention, then there will not be any removals and resettlements? -- If there is a democratic government, there will be no such things, but I must point out here that when we discuss the issue of the national convention, we did not deal with those issues like the removals and so on and tied them to the issue of the national convention. We did not do that. The fact that they arose within the UDF from time to time, it was not because there was a call for a national convention. They arose because there/...

there were problems which were experienced by the communities. However, I agree with counsel that once a democratic government has been established, the problems of removals will come to an end.

And the national convention is linked up with removals?
-- No, it is not linked up with that, but I am saying the primary purpose of the national convention is to come out with the best way of resolving the country's problems, linked to the establishment of a democratic government. Once we have that, then forced removals would not take place. If 10
counsel is putting what he is putting to me in that context, yes, I agree that in a democratic South Africa there will be no forced removals, and that holds even for the answers I have given that he has raised about conscription, about the BLA and so on. It is in that context that I understand it.

Do you agree that the national convention is also linked up and is especially linked up to political prisoners?
-- Yes.

And exiles and banned? -- That is correct, because those three issues are directly related, connected with the 20
conflict that is taking place in the country.

And do you agree that the national convention is also linked up with the question of Bantustans? -- In what sense?

In the sense that there will not be any Bantustans if the Government agrees to a national convention?

COURT: Could we just get clarity as to what in fact you are asking. Are you asking the witness's opinion or are you asking the witness about UDF publications?

MR JACOBS: I am asking him about what UDF said in publications and otherwise, at meetings, that in the event of a 30
national/...

national convention there will not be any necessity for Bantustans? -- I do not know of a meeting where the UDF took a policy and said that, but if I am asked to interpret and say whether when a national convention has agreed on a unitary non-racial South Africa, the Bantustans would continue, I would say no, once a unitary South Africa has been agreed upon by the national convention, the whole question of the Bantustans would obviously be phased out and all of them would become part of one South Africa.

I would like to put it to you .. -- What one is saying ¹⁰ here is that if a national convention that is held finally arrives at a consensus that there must be that unitary and non-racial South Africa, then the Bantustans will disappear, or they might simply become regions assuming different names but with proper representation in the government of the country, being part of the government of the country and sharing in the resources of the country equally.

Mr Molefe, I would like to put it to you that one of the main reasons why UDF is canvassing for a national convention and linking up with the issues is in order to get the ²⁰ people, the masses behind them? -- Which issues are referred to?

The removals, prisoners, political prisoners, Bantustans, Black Local Authorities, the new constitution, those that I have just mentioned, removals? -- No doubt when we call for a national convention we expect that we would like to influence attitudes both in the Black community and the White community to accept that call because it is crucial that they must accept it.

And it is also important to bring a message to the ³⁰ people/...

people that it is UDF that is willing to have discussions on the basis of the national convention and not the Government?
-- That has not been our part, our policy. We are not projecting the national convention on the basis that the Government will refuse. We are working on the basis that the Government will agree. It might refuse for a time, but we are prepared to persuade the Government until it finally agrees. We are not working on the basis that the Government rejects it.

That is one part of it, but the other part that I put 10
to you is also that a certain message and a certain idea is planted with the masses, to get them to understand and accept that the Government is not willing to agree to a national convention? -- I reject the proposition. That is not part of UDF policy.

And it is to mobilise and organise the masses. What do you say to that? -- Is the question complete?

Yes. -- That the UDF organises and mobilises the masses?

That it is used, the national convention is used in order to mobilise and organise the masses? -- I have got a 20
difficulty with this kind of approach, used in order to mobilise and organise the masses. Is counsel suggesting to me that had there not been the need to mobilise and organise the masses, the UDF would not have considered the issue of the national convention? I cannot understand the question.

I put it to you that the UDF is bringing up the idea of a national convention against the Government who refuse to accept it in order to organise and mobilise the masses. -- I reject that.

And I put it to you that it is propagated that it is 30
the/...

the Government who refuses to agree to a national convention. -- Some people might well have said so. It might well have been said that the Government - we have been calling for a national convention and the Government is not responding, but that does not mean that it is intended that the Government should not respond to the national convention. It may well be that it was intended to be a warning to the Government that if you do not respond to this national convention, we would not be able to end this conflict sooner. The sooner we accept the call for a national convention and we set in motion the process of those discussions at the national convention, the sooner we would be able to end conflict and the sooner we would be able to reconcile our people in this country, and the sooner we will be able to save unnecessary loss of life, the sooner we will be able to save the unnecessary drainage of human resources from our industries who have to go to be conscripted in the armies, the sooner we will be able to stop young people running away from the country because they do not want to serve in the army. As a warning, yes, in that context, I think it might have been used.

And Mr Molefe, it is also used as propaganda that because of the Government's refusal to agree to a national convention, the Government is responsible for bloodshed in this country? -- What propaganda? That is not so.

And I put it to you that it is generally suggested and propagated to the masses that there will be no peace in this country until the Government agrees to a national convention? -- We believe that there will be no peace until the people of this country have sat down and discussed the problems/...

problems of the country in a national convention setting. That much I have got no objection, but I must state very clearly that that is not said with the intention of inciting anybody to violence. It is really stated as a warning to the Government that it should speed up the process of change. It must begin to address the fundamental problems of the country. It must be understood in that context.

But the message that is conveyed to the masses is that there will be no peace in this country unless the Government agrees to a national convention? -- Yes, there is no peace 10 now because there is apartheid. All we are saying is that there will really be no peace as long as apartheid subsists, because apartheid divides people into races and it determines the standard of living of people on the basis of racial groups they belong to, that if you are Black, you do not qualify for higher wages, you do not qualify for a decent house, you do not qualify to own the land, you do not qualify to own property in a certain area. Only White people can qualify for that. So that all we are saying is that once you have that kind of situation, you must inevitably 20 have from time to time protest from people who will speak out, and then they get arrested, they die in detention because a person has slipped on a piece of soap; they die in detention because he hanged himself; they die in detention because he has jumped through the 10th floor of John Vorster Square; he has suffered brain damage and so on in detention. You have all these things. They will go on because people speak out, and the police force that is defending apartheid will continue to harrass them and lock them up in detention, removing them from their families. You will still have 30 deplorable/...

deplorable conditions in the townships because there is no money to develop those townships, because we do not have a vote. We cannot vote to influence Government policy to develop our own areas. We do not have that. The vote is determined on the basis of the perceptions and the aspirations of the White community. Now, we are saying that these things will have to be addressed, but they can be addressed fully when people have a vote, and the national convention will lay the proper foundation that will lead to that kind of a vote, and we are saying that for as long as apartheid 10 continues, the Government will have to continue to use force to contain those who are oppressed, because we cannot keep quiet. We cannot die there in the quiet when we are starving without jobs, we are starving in the homelands. We cannot keep quiet. We must speak out. When one puts his foot on a red-hot iron, he is not expected to say, I am feeling the pain. We will say so. We are feeling that pain, we cannot keep quiet. We believe it is our right to express our feelings in respect of these things. So that when we say that unless the Government calls a national convention to 20 resolve the problems of the country, there will be no peace, we mean that the Government will continuously be forced to suppress people. And similarly on the other hand, there will be those people like who have already taken up arms, going on to engage in acts of violence, and that is the pain, the agony that the country has got to go through. We do not want that to be perpetuated. It is in that context that it must be understood.

And Mr Molefe, in fact it is strongly propagated to the masses that the confrontation and bloodshed will escalate 30 because/...

because of the Government's failure to agree to a national convention? -- I missed the first part of the question.

In fact it is strongly propagated to the masses that the confrontation and bloodshed will escalate because of the Government's failure to agree to a national convention? -- It might have been said, as a warning. All we are saying is that people have suffered for many, many years under the policies of apartheid. Others have decided in the circumstances to take up arms. We have refused to do so. Now, we are appealing to the Government, to the conscience of the 10 Government, we are saying the Government must realise that if it does not address this issue and it relies on the army and the police force in the townships to suppress the people, it may well be creating a situation of hopelessness where people reach a stage where they do not believe that it is still possible to bring about change through peaceful methods, and that kind of a situation is too ghastly to contemplate. We do not want it to develop to that point, and we have got to issue warnings from time to time to the Government. We are not alone in this. Many other people have done so. 20

COURT: Can I just ask you on this issue of a warning. Could it not conceivably be argued that if one wants to warn the Government, you warn the Government, but you do not speak in this vein to the masses as such, as it has been called in this court, at public meetings unless you clearly and unequivocally qualify what you are saying by stating that we stand for non-violence? -- We have done that time and time again.

Well, I would like you at some stage to point out to me, either in the transcripts of the video's and tapes and 30
in/...

in the documentation where it has been unequivocally time and again repeated whenever there has been very strong language. -- Alright, I will have to do that. But M'Lord, I need to point out here that this kind of warning that we are making is not something that is new and peculiar to the UDF. These are things that have been said over and over again over the years. They have been said even in parliament; they have been reported in parliament. I recall at one stage one PFP MP even suggesting that at some stage South Africa might have to have trials of those who perpetrated 10 atrocities against the oppressed people, trials similar to those of Nuremburg which involved those who promoted Nazism during the time of Hitler. These things are said and they are reported widely in newspapers, we read about them. They have been there, people have been issuing these warnings. I have listened sometimes to speeches by leaders who are in the homelands, also talking about these things. I have read about some of their speeches where they refer to the South African Government, police and army as people whose fingers are itching to kill the kaffirs, to shoot at the kaffirs. 20 These things are said, and they are said by people who are regarded as supporting the Government. When in a meeting situation of the UDF we make a call for a national convention and we say that this conflict would not stop until the Government calls a national convention, we are really saying to those present that violence is not the option; the option is the national convention. That is the best method of ending conflict. We want to go there and talk.

MR JACOBS: Mr Molefe, you pointed out to the Court that what you said is not peculiar to the UDF, but the fact of 30 the/...

the matter is that UDF has taken up this issue of a national convention and the question that violence will escalate in order to mobilise and politicise the masses. That is the question that I asked you. -- I missed the question.

I said that UDF took up - you said it is not peculiar to UDF what you said, this question of the national convention and the violence, that somebody else said it in parliament and all those places, but my point to you is .. -- But I was responding to the question that Your Lordship raised, of the nature, the type of speeches. 10

But the difference between the answer given to His Lordship and the actual fact in UDF is that UDF is using that, the question of the national convention and the question of the violence in order to mobilise, organise and politicise the masses? -- I reject the proposition. That is not so. That is not UDF policy.

I put it to you, it is also strongly propagated and it is propagated to the masses of people, that the national convention is the only method to obtain peace in this country. That is what they must understand. -- We believe that is the 20 best method. There might be other methods, but we believe that and we have the right to hold that belief.

And it is propagated in order to get the masses to take part in the freedom struggle. That is the main reason, the main thrust? -- That is not so.

And I put it to you that it is not as a warning to the Government that it is conveyed to the masses but it is conveyed to them to induce them to take part in the freedom struggle, to liberate themselves as is said so often in the UDF documents? -- That is not so. In the letter that we 30 wrote/...

wrote to the Prime Minister in 1983 we made that point.

Yes, and to the masses, why do you convey it so many times to the masses, that they must understand it? That is not a warning to the masses. Is that correct? -- We have got no other forum where we can express ourselves. We have got no vote. We cannot sit there with the Government in parliament and talk. The only way in which people are expressing themselves is through speeches at meetings, and when one makes a public statement, expects that senior officials in reading that would take up the issue, and other 10 people who are closer to the Government will read about that and they will set in motion debates on the issue, either in the White communities or directly with the cabinet ministers. It is not intended as a means of mobilising and organising.

So why do you address it to the masses then and why must they then understand that they will take the fight to the finish where there will be the power to the masses and the government of the masses, the people's power? Why would those slogans - why were they so stressed in connection with the national convention? -- I would appeal to counsel to 20 show me documents where those slogans are stressed.

COURT: Yes, do so, Mr Jacobs.

WITNESS: Not a single document, documents because if it is stressed it means it must appear in several documents, and policy documents of the UDF.

MR JACOBS: Can you have a look at EXHIBIT "AA1".

COURT: What is the content of the admission in respect of this document? Where was it found?

MR BIZOS: One Dadoo in Krugersdorp.

MR JACOBS: This document, Mr Molefe, will you agree that it 30 is/...

is a pamphlet? -- Yes, I can see it is a pamphlet.

Under the UDF logo? -- I see UDF here, but it is a very unusual style, this one. It is not what I know to be the normal and official UDF logo. It is something that looks a bit strange.

And it was issued by the UDF West Rand Area Committee? -- Yes, it purports to have been issued by that.

Now, just the second-last line there, there is "Amandla, Awetu, all power to the people"? -- Yes, I can see that.

That is propagated in this pamphlet. -- But what is the status of this? I do not know if this is a UDF - as far as I am concerned I do not know this pamphlet. I do not even know when it was distributed and where, or whether it was in fact distributed. 10

And according to this document the speakers on this rally were Alan Boesak, Samson Ndou, Sister Barnard, Amanda Kwadi, Catherine Sology? -- That is what the pamphlet says. I do not know about this meeting.

Mr Molefe, is there a West Rand Area Committee of the UDF? -- I have got no personal knowledge thereof. There might well be. I have got no personal knowledge. 20

I see this rally was held on 16 December 1984. -- It is so dated.

That was after your release? -- That is correct.

COURT: Do you know of the rally, yourself, apart from the document? -- I am not sure. I cannot remember. What I remember vividly, one meeting that was supposed to be in Soweto, which was then banned.

MR JACOBS: Just before we carry on, do you know how many area committees of UDF were there in the Transvaal? -- I do 30

not/...

not know.

As the general secretary of the UDF, do you not know of any area committees that have been formed? -- I concern myself with national issues mainly. I have not had the opportunity to meet with the area committees.

But is it not a national issue, this is something new that has been brought into the general set-up of UDF. Is it not a national issue then? -- No, area committees are not connected with the UDF National. They are connected with the province, the region. 10

Has the UDF National nothing to do with the people whom they represent, where they will be sitting, if there will be any representatives of the UDF area committee in the National Executive Committee? -- They do not sit on the National Executive Council. They are not represented there.

Tell me, Mr Molefe, the bringing in of the area committees, does it bring in also a change in the constitution of UDF or necessitate a change in the constitution? -- It does not necessitate a change in the national UDF constitution. It may well be that maybe in regions it might change, but 20 not the UDF National.

But the regions have not got their own constitution? -- They have got.

Is it not part of the working principles of the UDF? -- They have got their own separate ones.

Was the establishment of area committees ever reported to the National Executive of UDF? -- It may well have been. I remember the NEC encouraging regions to - NEC or secretariat encouraging regions to form area committees.

And just one more question on this, and we can go on. 30

Do/...

Do you know at the National General Council meeting, this one that has been reflected in EXHIBIT "C102", was there anything on the agenda or on the alteration of the principles, working principles of the UDF or the constitution of the UDF in regard to area committees? -- I cannot recall that. I would gladly accept - I would gladly have a look at it if counsel wishes to refer me to it.

Can you tell the Court, why did the National Executive Committee of the UDF encourage the establishment of area committees? -- I am not quite sure as I stand here what the reason was, but possibly it was, some regions had reported that they have got area committees and they could function much easier, affiliates could come together much easier in their own local areas if there were area committees. I cannot remember the full details. It was quite a long time ago. 10

Was the funding of the functions of the people functioning in the area committee and the establishment of area committees a matter for the UDF National? -- No, it was not, except the instance that I referred to in the Northern Transvaal in respect of a rally that I referred to in the course of my evidence. 20

I would like you to have a look at EXHIBIT "AM51", Volume 3.

COURT: What is the admission in respect of this document?

MR JACOBS: It was found in the UDF GAWU offices in Vryburg.

COURT: UDF GAWU?

MR JACOBS: Yes, two organisations occupying the same office.

There is a region of the UDF in Vryburg. Is it correct?

COURT: A region or an affiliate or an area committee? 30

I/....

MR JACOBS: I just want to find out from him. -- There was a consultative committee which was working towards the formation a fully-fledged region.

COURT: To be called Northern Cape? -- Yes.

MR JACOBS: And was it established as a region? -- At the time of my arrest it was not established as a region.

And who was the representative of the UDF in charge of that committee? --- I cannot say there was a person in charge of the committee. There were several people who were members of the committee, and on the NEC was sitting Jomo Kaso and Hermanus, I think. 10

So the person on that committee had a seat on the National Executive of UDF? -- That is correct.

COURT: They sat there on behalf of Northern Cape region? -- Yes, consultative committee that was working towards the formation of a region, for the entire Northern Cape. It is really something that one could call an interim regional executive committee.

MR JACOBS: Mr Molefe, you yourself, did you work with this committee in Vryburg? -- Did I work with it? 20

Yes, in close relationship, did you work with them, you yourself personally? -- Not the entire committee. I was working closely with Johnson Kaso.

COURT: With Jomo? -- Jomo, that is correct. His other name is Johnson.

MR JACOBS: Did you not also work with Khotso Crutse? -- I know him, but he was not on the NEC.

But was he a member of that committee? -- Yes, he was, but as I say, the dealings were really with Jomo because he was employed as a UDF organiser. 30

And/...

And Wilfred Crutse, do you know him? -- I do not know that name.

And if I remember your evidence correctly, at a stage you went to organise a meeting or a rally in Kimberley on behalf of this Northern Cape committee? -- Not on behalf of, in consultation with them, because the national office was financing that specific meeting. It was really a National UDF meeting, but because that committee is operating in that area, it was asked to help and it was also because that committee was fairly weak at that stage. So I had the responsibility to make sure that the national office is not going to spend money on a meeting that was going to fail. 10

And the Huhudi Youth Organisation, that was affiliated to UDF? -- I believe so. It was part of that interim structure there.

And the Huhudi Civic Association? -- That too.

Now, this is a pamphlet issued by the Huhudi Youth Organisation. Do you accept it? -- I cannot accept it. I do not know the pamphlet. I was not there when it was issued. All I can say is that it purports to have been issued by that. It purports to be issued by Huhudi Youth Organisation. 20

And on that last line just before where it is stated who issued it, there it is again stated: "Power and Solidarity to the People, Matimba Atena". -- I see that.

What does "Matimba" and "Atena" mean? -- I do not know.

I would like you to have a look at EXHIBIT "AE25" page 2. M'Lord, this document was found at the UDF offices in Khotso House. Have you got it, Mr Molefe? -- I have got it.

This is a letter dated 29 June 1984 to the Secretary, Federation of the Women of South Africa, Soweto and it was signed/... 30

signed by you? -- That is correct.

Now, on page 2, the third line from there, mine is a little ..

"The call to you is organise, mobilise for the establishment of people's power."

-- That is correct.

That is what you yourself said? -- Yes, I said so, and it is in the context of my explanation yesterday, what I mean by that. It simply means a vote, we need to organise a vote where we would also participate in the decisions that are taken about our lives. 10

Mr Molefe, your answer in connection with this vote question .. -- And secondly, this was not written for distribution to the masses. It was a message of support sent to delegates who would then be meeting with a view to launching a Soweto group of women, organisation of women in Soweto. So it is not for the masses. The question of councillors, I understood it, was linked to the question of propagation of certain things to the masses.

Mr Molefe, then must I understand it from your answer on this that it is a message not to the masses but it is important that the people who affiliate to UDF and who are in the lead of the organisations affiliated to UDF, they must understand clearly that they must organise the masses and organise and mobilise for the establishment of people's power? -- That is correct. 20

Mr Molefe, your suggestion of the context in which it must be understood, that it refers to the vote is misleading because you are not interested in just a vote, say, for a fourth chamber but it is a vote as a one man, one vote system/... 30

system? -- This might sound confusing to counsel, but that is not so to me and my people, those who want a proper vote. It is true that we do not want a vote in the fourth chamber. There is no question about it. We do not want that. We want a vote in a unitary government in South Africa. We want a meaningful vote. We do not want a token vote. We want a vote in the central government of the country, in a non-racial South Africa.

In the country where the power will be in the hands of the people, as you said here? -- In a country where all the citizens will have power to change methods which affect them, and this power is the vote, power in the hands of the people, the majority of the people in South Africa, Black and White, in line with the policy of the UDF. 10

MR BIZOS: M'Lord, in view of the suggestion of misleading, I do not know if the witness has had an opportunity of reading the whole document. If Your Lordship sees at the second-last sentence, the second-last paragraph of page 1, where it says "Our call for political rights for all must be loud and clear", in the same document. 20

MR JACOBS: Can we just get clarity on this last sentence:

"Our call for political rights for all must be loud and clear."

What do you convey here, that it is political rights in the light of what you said now, not for only political rights in the sense of vote in the fourth chamber or a vote in any other part or organ of the Government, but it is a total vote, total rights in the sense of being able to choose your own government? -- Not in the sense of choosing our own government, in the sense of choosing the government of this country/... 30

country. We do not want a puppet vote. We want a vote that will allow us the right to elect the government that rules this country, and we being the people of South Africa, Black and White.

EXHIBIT "A1" page 2. Mr Molefe, will you have a look at EXHIBIT "A1" page 2, and there is a photograph there. Is that correct? -- That is correct.

And according to this photograph there were quite a number of people? -- That is correct.

Now will you have a look at that little poster there on the left-hand side? -- I can see that. 10

What does it say? -- It says "UDF Unites" and it says "Forward to a People's Government". It says that.

I would like you to have a look at EXHIBIT "AB40".

COURT: Was this document admitted, Mr Jacobs?

MR JACOBS: It was admitted to have been found in the UDF offices Khotso House, Johannesburg.

Have you got it? -- I have not got it yet.

This is a pamphlet issued by the UDF, is that correct? -- Yes, it says so, but it appears like it was printed by NUSAS, 131 Lower Main Road, Observatory. I think this is in Cape Town. 20

COURT: When would this Sunday 17 June be, in 1985 or 1984? -- I do not know. I would have to read what is in the pamphlet.

What is the question, Mr Jacobs?

MR JACOBS: Just as an indication, in the second column there is June 16 1984:

"The apartheid government is offering our people a new deal."

30

Does/...

Does that date help you to say it is 1984 or later on? -- Well, I do not know the pamphlet. I had not seen it before, although it has got the date of June 16 1984.

COURT: Could I just get clarity on a sentence here, the paragraph to which you have referred. Was the army involved in 1976 or was it only the police? -- It was, my recollection is that it was.

What is the point, Mr Jacobs?

MR JACOBS: Mr Molefe, will you have a look at the top of the second column, there is the words: 10

"Away with gutter education, away with apartheid. We want one South Africa where the people shall govern."

-- I can see that. I see that.

Mr Molefe, will you accept then that it is generally accepted in UDF and propagated to the people that power must go to the people, that the people shall govern? -- Yes, the UDF want the people to exercise a vote in the government that rules the country. It is in that context when we talk of the people governing.

And when the publication .. -- But I must state here 20 that I do not know this pamphlet. I had not seen it before this case.

But you will accept that this is a document issued by the UDF? -- It purports to have been issued by the UDF and as far as I am concerned, it is not UDF National. It might have been one of the regions, but I simply do not know. I cannot take a definite position in that regard.

And do you agree also that the idea is generally conveyed to the people, the masses, that UDF is fighting to establish the government of the people, of establishing power for the 30 people/...

people? -- May counsel repeat the question?

Do you agree that it is generally propagated and put to the people that UDF is working towards the establishment of the people's power, of the people's government?

COURT: Have you not asked that question before?

MR JACOBS: That is said he wants his proof. -- Well, the UDF wants a government that is based on a franchise for all where people have a vote. That is what we mean by the government of the people. That statement, that phrase may well appear in an official UDF document. 10

You are not answering my question, Mr Molefe. It is not a question of it appears. My question is, did UDF convey that message to the people, to the masses? -- I do not know. I have been in gaol for a long time. I do not know if the UDF as an organisation has done that, but I have spoken about a government where the people vote, based on the vote of the people I have spoken about. I have got no problem with that, as long as it is understood in the context of what we mean, we mean political right and we mean a vote. We mean really power to the people to elect a government 20 into office and power to remove it if we are not happy with it, and that can only be exercised if the majority, all the people of South Africa have a vote.

ASSESSOR (MR KRUGEL): How do you mean remove it if you are not happy with it? -- When a government - what happens is this: when a government is voted into office, there are certain expectations, and if that government is unable to meet those expectations of the people, say for instance it becomes very corrupt, it cannot provide - its welfare policies are not good, it cannot give employment, in the next election 30 that/...

that takes place, then it is voted out, it is removed in that sense.

MR JACOBS: Mr Molefe, I would like to put it to you that this last document "AB40" was found in the UDF offices before your arrest. It was found in February 1985 in your offices. -- Johannesburg, UDF National office?

Yes, offices occupied by you. -- When, in 1985?

February 1985. -- I do not know the pamphlet. I do not know the pamphlet. I was not in the office at that time.

And I put it to you that you tried to evade answering the question by answering the Court that you cannot tell after your arrest, but it was the policy and it was the same at the time long before your arrest? -- I object to the suggestion that I am evading questions. I am not evading any questions. I am dealing with the issues that I know about. That is all I can say. 10

And I would like to show you another - something else that at the time of the acceptance of this - and I put it to you, of the acceptance of this statement of the UDF National General Council, it was expressly stated that these were accepted in order to organise the people, and will you have a look at - there is no page - EXHIBIT "C102", the statement - I think it is not necessary to give the volume, Volume 6, on the second page of that statement of the UDF National General Council. -- What paragraph? 20

Will you have a look at the fourth paragraph from the top. Will you read it? --

"Finally we pledge to organise the masses of our people to effectively challenge the apartheid state by frustrating its efforts, preventing it to advance, forcing its/... 30

its retreat and if possible to cut off all lines of retreat.

We therefore make the following immediate demands as the beginning of a process of transition from the prevailing oppressive and exploitative order to a democratic state."

MR JACOBS: Do you agree that in order to organise the masses, according to the next statement, in order to organise the masses, we therefore make the following demands. -- I would not link this paragraph to the paragraph above it 10 exclusively. A lot of things have been said from the beginning of the statement. It cannot be linked to that paragraph. It must be linked to all the things that the writers of this document said. I do not accept the interpretation.

All the other paragraphs and also this paragraph that you read? -- As I understand it, really the heart of this statement is the fact that apartheid must be ended, apartheid must be dismantled, as I understand it, and as I understand it, it then makes those demands as a process of ending apartheid and setting up a new order. 20

And as a demand that the Government must lay down the government, step down from power, according to paragraph 3 of the demands? -- Once the Government accepts that there has got to be a new order, it follows then that the constitutional arrangement would change, it means the tri-cameral parliament would go, the Black Local Authorities would go, something new would come in its place, and we have called for a national convention which would be the basis for discussions as to how that process would come about. I do not understand it to mean the Government is handing power to 30 another/...

another authority being the UDF. I do not understand it in that context.

Mr Molefe, can you tell the Court, just before we stop, can you tell the Court, when the message is conveyed to the masses that the UDF is calling for a national convention, are the minimum demands also conveyed to the masses? -- I know that three demands have been all the time put across, those that there was a general agreement on, and which were directly connected with the conflict in the country: the release of political prisoners, the return of the exiles and the unbanning of banned organisations and individuals. Those three have all the time from time to time come across.

COURT: Do you know of any instance where the other so-called preconditions have been publicly stated? -- I cannot recall. Those that I have mentioned are easy to recall because really they have been there for many, many years.

THE COURT ADJOURNS TO 1987-08-17