

SAAKNOMMER: CC 482/85

PRETORIA

1987-08-13

HS

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

LUBBE OPNAMES

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THE COURT RESUMES ON 1987-08-18:

POPO SIMON MOLEFE, duly sworn states:

FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Molefe, we were busy yesterday with the campaign regarding the economy, and I would like you to have a look at EXHIBIT "C138" page 9. It is Volume 8. This is part of the Western Cape region's program of action on campaigns around major issues, forced removals, that is a campaign, cost of living? -- May I appeal to counsel to tell me what page we are dealing with?

At the bottom - the small number is page 8. Have you got it now? -- I have got it. 10

There it is that campaigns around major issues, forced removals, cost of living, unemployment, the International Year of the Youth and the Freedom Charter. Is it correct? -- What is the question?

I said that that is also accepted in the Western Cape in the program of action that there are campaigns on major issues and the major issues being forced removals, cost of living, unemployment, International Year of the Youth and the Freedom Charter, and that campaigns were conducted around all these matters? -- As I said yesterday, I still maintain that my understanding of this part of the report is that the secretary of that region is presenting suggestions to the AGM as to the aspects which should form the program of action for 1985. I do not understand this to be the campaigns that have been taken up. 20

Where does it say it is only suggestions, Mr Molefe? -- When one reads point 1, the same page, under item "Program of Action", when one reads point 1 it says, deepen the gains which result from the increased politicisation and renewed/... 30

renewed circumstances which flow out of the popularity of the UDF, and the second one says, ensuring a role for each affiliate as well as continued co-ordination of the UDF.

How does that say that this is only a suggestion here?
-- I understand it to be what he puts to the house to be considered for discussions. I have already indicated in my evidence that there were no UDF campaigns on these issues.

Do you agree that these are not suggestions or stated as suggestions but it is part of the program of action? --
I do not understand it that way. 10

COURT: What do you say about the next sentence, Mr Jacobs?

"Comrades, all of these matters require very serious discussion."

MR JACOBS: Can you explain that? -- Well, it is what I am saying, that these are suggestions. He is calling on the house to discuss these issues and see if they could not form part of the program of action.

Is it not so that they must be discussed whether it is implemented or whether it is already accepted as campaigns and there is a need for discussion on it and planning on it? -- The contention here is that these were campaigns that the UDF took up. I think the writer would be saying, we need to evaluate the work we did in that context, if he was really talking about further discussions on campaigns which had already been taken up. I do not understand it in that context. 20

And also EXHIBIT "J2" paragraph 1. Have you got "J2"?
-- I see "J2".

And paragraph 1, will you read it please? -- Point 1 is headed "Campaigns" and under that campaigns is written 30

"Black/...

"Black Christmas". It says:

"The meeting called to evaluate the stay-away. A decision was taken at that meeting to launch a consumer boycott. The NEC also met and took a decision before this meeting to go on the Black Christmas campaign. The UDF was asked to convene a meeting of all organisations to discuss this matter."

COURT: Was this document agreed upon?

MR JACOBS: Yes, it has already been - "J2" was found in the UDF offices Johannesburg and that is a secretarial report. -- This is the secretarial report from the Transvaal. That is the Transvaal regional secretarial report. Then it goes on to say that: 10

"In the UDF General Council meeting a Black Christmas committee was formed to popularise this campaign. Public meetings were organised and the Black Christmas cards were distributed."

MR JACOBS: So there was a campaign then on Black Christmas as part of a consumer boycott. Is that correct? -- Well, reading this paragraph, there seem to be two different things here. One is what the writer of this report refers to as a consumer boycott which was taken at a meeting somewhere, and then the second one being the decision by the NEC to go on - the NEC also met and took a decision before this meeting to go on the Black Christmas campaign. So that I see these things as two different things. 20

So was there a decision by the NEC also to go on a Black Christmas campaign? -- As I understand, yes, the NEC decided to support the campaign that was initiated by FOSATU. But I was not there. I was not present at this meeting. 30

So/...

So that was a national campaign then? -- The Black Christmas campaign?

Yes? -- Yes, but it is not a UDF campaign. It was a FOSATU campaign. The UDF supported that campaign. It was not initiated by the UDF.

Mr Molefe, I put it to you that the wording is quite clear in this that the UDF decided to go on the Black Christmas campaign and not to support other organisations, according to this? -- That is what it is saying, but it says, to go on the Black Christmas campaign. It means that campaign was there, it was going onto it, joining it. It does not say initiating the campaign, and in fact at least I had had the opportunity of being briefed about the discussions that took place prior to this decision by the NEC, but in fact it was a FOSATU campaign. 10

And is it correct that in the execution of this campaign public meetings were organised by the UDF, and Black Christmas cards were distributed? -- Yes. I do not know if the UDF per se did organise meetings, but I know that there were Black Christmas cards being distributed. 20

Mr Molefe, do you agree now that there was a campaign on forced removals? -- I do not agree in the sense in which I have explained the UDF campaigns.

Will you have look at EXHIBIT "C9" page 6. That is in Volume 1. This document was found at UDF Johannesburg. I think we have already referred to it. Page 6, the second-last paragraph. There is reference to a campaign against conscription and then it says:

"Unfortunately we will not have time to deal with the question of removals and resettlement, but they must 30

be/...

be built into our campaign."

-- I am not with counsel. Are we looking at paragraph 2?

The second-last paragraph. Would you agree, according to this report that the removals and resettlement form part of a campaign, they must be built into our campaign? -- There is an intention to tackle the issue of removals and relocation and attempt to build that into the UDF campaign against the constitutional proposals, but it is clear from this paragraph that the matter was not discussed in that conference. So it is a matter that is still regarded as being an important matter. 10

To be built into .. -- And I think if we go back to EXHIBIT "T2" which is the secretarial report to the NEC which said on 1 and 2 January 1984, the issue of removals would be referred to again there, and it is clear in that paragraph that the UDF had not yet adequately addressed itself to that issue, there are still attempts to formulate a clear approach to the issue.

MR BIZOS: M'Lord, may we draw attention to page 5 where there is a heading under which this paragraph appears, right on top of the page. 20

MR JACOBS: Mr Molefe, will you have a look at EXHIBIT "C53" in Volume 4 on page 5 under the heading "Campaigns", paragraph 1.2.2. Will you look from the second paragraph under 1.2.2. Will you read from there? --

"The work against forced removals had taken the UDF into the rural areas. Organisation has increased against forced removals with the name of the UDF foremost in this resistance. Some of the campaigns in Huhudi had successfully resulted in the staving off of removals/... 30

removals and many campaigns, the resistance to Caelitsha still continue."

MR JACOBS: So there are campaigns under the auspices of the UDF going on in these areas. Is that correct? -- I do not accept the proposition. The people of Huhudi had been resisting removals long before the UDF was formed, and as I understand it, this is what the writer is referring to here. Similarly with Crossroads and Caelitsha.

Mr Molefe, is it not part of the UDF that the campaigns done by the different affiliates are part of the UDF's cam- 10
paigns, and what does it mean when the UDF says that the work against forced removals had taken the UDF into the rural areas? -- Maybe in the sense that the UDF is interested in those areas. It has sought to make contact with people operating in those areas.

Is that by way of the campaigns conducted by the affiliates? -- No, with a view to developing UDF campaigns.

Will you agree that the UDF in this report claims that they were responsible for this and they were taken into these areas because of these campaigns? -- It says the work 20
of removals has taken the UDF into those areas. As I understand it, what it is saying really is that because of - there is resistance in those areas in respect of removals, and the UDF is interested in that resistance, because it is opposed to the policy of removals and relocation. But the second reason might be that because there are affiliates of the UDF there, from time to time there has been contact with the people there, and maybe some UDF material was distributed there. In that sense it would have necessitated the move by the UDF into the rural areas. This point I 30
have/...

have made before, that the UDF saw the issue of removals as being important because the new constitution and the Koornhof bills were not showing us how the forced removals of communities would be stopped, but to suggest that because a person has written or spoken of removals, that is a campaign then we may as well have thousands of the things that the UDF spoke about here and define them as campaigns.

COURT: What do you say to the phrase "with the name of the UDF foremost in this resistance", in conjunction with the heading "Campaign against Forced Removals"? -- I think 10
there is a bit of exaggeration on the part of the writer. It may well be that what he means is that once the UDF came into existence, the people in the communities affected by the removals looked upon the UDF and saw it as the only organisation that could help them out. Indeed I think in one of the reports I had already indicated that by 1984 the Black Sash had approached the UDF and other organisations with a view to persuading them to assist in opposing the system of removals and relocations. That does not mean 20
that the UDF had any campaign in that respect.

MR JACOBS: Did the UDF participate in organisation in the different areas where there was a possibility of removing the people? -- I would not say really organisation. There were attempts to establish links with those people and pledging support to those communities.

But has the UDF organised in those areas? -- We have organised in some of the areas. We had affiliates in some of the areas.

How did you organise? What do you say? -- The UDF had affiliates in some of the areas. 30

How/...

How did the UDF organise that? -- The UDF per se did not really organise directly, but I know that we earlier on in this evidence referred to a meeting, an ecumenical service that was organised by the Western Province Council of Churches to which the UDF was invited, which the UDF also supported, and that was a service on the issue of removals. So that really it was in that sense that the UDF participated in that issue. And with regard to Mogopa, some officials of the UDF went there to attend a vigil the night before the people were moved out of the place, and there had been 10 contact with the people in the Eastern Transvaal, I think a place called Badplaas and Leandra. It is really that limited contact that one can talk of, and indeed the documents of the UDF up to the time of my arrest will indicate that the UDF had no clear approach on the issue of removals, and it had actually asked somebody, appealed to somebody, Jackson Fuzile, to undertake to do the work of the UDF in the areas affected by the removals. At that stage he was really going to assess the situation and give a report to the UDF, subsequent to which report we had hoped that we would be 20 able to do something.

But that is only plans, Mr Molefe. But I asked, the specific organisation by the UDF in the areas? -- Well, in the sense that I have explained it.

Only in the sense of plans of what they are going to do? -- What I have explained. I do not know of anything more than that.

Because it says here that organisation has increased against the forced removals with the name of the UDF foremost in this resistance. -- I have dealt with that question. 30

I/...

I have explained my understanding of that statement.

Did the UDF in any way on a national basis and on a regional basis supply media in regard to forced removals? -- At national level I cannot remember any. It may well be that in one of the regions some media would have included the issue of removals, particularly maybe the Western Cape because the issue of Caelitsha, was really the most burning question. It may well be that an article was written about removals.

Did the UDF organise any meetings in any places where there was a possibility of removals in order to organise the people on that? -- I cannot remember any independent UDF meeting. I recall that one of the Western Province Council of Churches.

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Did the UDF in actual fact appoint anybody to do organisation work in the areas where removals were imminent? -- I think the decision was taken in principle, but I cannot - at national level there was nobody appointed, but I know that in principle regions had also decided that they would appoint people to deal with the issue of removal.

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When was it decided, can you remember, by the UDF to appoint somebody in the areas? -- I am not certain, possibly 1984.

Did the UDF appoint a rural organiser? -- I think the UDF Transvaal had a rural secretary. I do not know if he was a full-time organiser, and I think in respect of the Western Cape also the national office undertook to pay a rural organiser for the Western Cape and Northern Natal. So was the case with the Northern Cape.

And did the UDF National pay for organisers in the

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rural/...

rural areas? -- I am not sure if they were finally appointed, but there was that undertaking in principle to pay them.

You do not know whether they were appointed or not? -- I am not certain about that.

Do you know any rural organiser being appointed? -- I think the Transvaal had Matheson Morube as rural secretary. I think he was going to play the role of rural organiser.

And what was his duties in regard to rural organiser? 10
-- I did not really participate in the job description that he was given, but I would understand his role to be that of identifying existing organisations in the rural areas and helping communities to set up organisations with a view finally to setting up or persuading those organisations to affiliate to the UDF or setting up their own region of the UDF.

Can you tell the Court whether it was part of his duty also to identify issues in the different districts? -- That would be the position, matters which would be of interest 20 to the UDF, relevant to the UDF.

And was the question of forced removals part of his duties? Do you know? -- That had never been discussed. I cannot remember that. I think, there is an exhibit here which deals with the job description of organisers. If I am given time I might be able to get it. I think it is proper that we deal directly with what we have on paper, than trying to remember every sentence in thousands of pages of documents.

But do you not know of your own knowledge about this? 30

-- I/...

-- I do not know the details. I cannot remember the details.

And was it a national matter, the question of removals?

-- It was.

A national issue? -- It was.

COURT: I am sorry, I missed this. -- Northern Natal and Western Cape.

MR JACOBS: Do you know anything about the Northern Cape?

-- Do I know anything about the Northern Cape?

Being a person appointed to do - organise the Northern Cape in regard to removals? -- We did not appoint anybody to organise removals in the Northern Cape. 10

COURT: To organise removals? I think that is the last thing you would do. -- We did not appoint anybody to deal specifically with the issue of removals.

MR BIZOS: M'Lord, sorry to interrupt, but the very document that My Learned Friend is cross-examining on, "C53", on top of page 6 it says specifically that there was a decision to appoint people but it could not be implemented because they did not have the money nor the vehicles, "C53", the top of page 6. It may save further cross-examination. 20

MR JACOBS: Mr Molefe, but subsequently, were they appointed? -- They were not appointed.

Especially the one in the Transvaal that you mentioned now? -- They were not appointed by UDF National. The Transvaal region had a rural secretary. I do not know if he was appointed on a full-time basis and I do not know what his job description was to be.

Mr Molefe, the issue of anti-repression, was that an important issue in the UDF? -- The question of repression?

Yes? -- Well, the UDF spoke about that. It became a victim/... 30

victim itself of repression. In 1984 several leaders and activists of the - ordinary members of the UDF were detained right through into 1985, so there would have been criticisms coming from the side of the UDF from time to time in respect of detentions without trial and the call on the Government to release those detained. These would have been mentioned in public meetings, publications of the UDF. I think even in executive meetings.

So it was an important matter in the eyes of the UDF?
-- No doubt it was because it affected directly the UDF and 10
its affiliates.

Was it so important that the campaign had to be run on repression? -- I do not know if there was any campaign on repression.

But was it so important that the campaign could be run around it? -- I do not know. Well, it was important that - it was so important that we could not keep quiet about it. We would criticise it, we would speak out about it; we would write about it in our publications and so on. In that sense, yes. 20

And was a campaign run around this matter? -- I cannot recall any campaign specifically on that.

And was this a national matter in the esteem of the UDF? -- Well, in a sense, yes, because UDF national leadership was affected.

And was it accepted that oppression can be a high profile? -- Oppression can be high profile? I cannot understand that.

Can be a high profile in order to run a campaign around it? -- M'Lord, I appeal to counsel to place before me the 30

exhibit/...

exhibit that he is dealing with, because now he is reading from the exhibit. I do not know what he is reading.

Will you accept that it was of such high profile that the campaign can be run around it?

COURT: What is meant with high profile?

MR JACOBS: It was very important.

COURT: You mean it was so much in the public eye? Is that what you mean?

MR JACOBS: Yes.

COURT: Was this an issue which was so much in the public eye that one could run a campaign around it, or on it? -- I believe that possibility existed. I myself was a victim at the time. I was in detention myself. So that I think it is much better if counsel places before me the exhibit that he is dealing with. 10

MR JACOBS: I would like you to have a look then - we will start with it - EXHIBIT "P3" - no, "P1".

COURT: "P1" or "P3", Mr Jacobs?

MR JACOBS: "P1". This is a document found in the offices of SAWU in Pretoria, and this is also the minutes of a General Council meeting held on 14 April 1984 of the United Democratic Front Transvaal. -- That is correct. I see that. 20

On page 6 under "General", the last paragraph, there it is stated:

"It was agreed that legal affairs would work closely with Descom in high-lighting and campaigning against repression."

-- I see that.

Do you accept then that there was a campaign running against/... 30

against repression? -- There was an intention to start the campaign. To my knowledge that did not happen, but we know that - I am sorry?

COURT: Continue. I will ask my question just now. -- We know that the DPSC has been in existence since 1981 and it has been dealing with the question of repression, specifically the question of detentions without trial and so on.

Legal affairs, what is legal affairs? -- I think this same meeting or a meeting earlier on had adopted proposals to set up different subcommittees. One was of those sub- 10
committees was to be called Legal Affairs Committee, to deal with all legal matters which affected the UDF.

MR JACOBS: And will you agree that it was - that UDF Transvaal agreed to run a campaign and work closely with Descom in campaigning against repression? -- I agree that that decision was taken, but I know of no implementation of this decision, at least up to the time of my arrest in 1984.

Mr Molefe, can you tell the Court whether the UDF issued any pamphlets on repression? -- I cannot think of a specific pamphlet, but I would not be surprised if the UDF 20
did issue such pamphlet.

Do you know whether the UDF issued any other publications through its media on repression? -- Well, I saw one exhibit here which I think purports to have been issued jointly by the UDF, the DPSC, I think TIC and the PC, I think also Descom. It is an exhibit in this case. I have got no personal knowledge of that.

And do you know whether the UDF arranged any meetings in regard to repression, and at the meetings speak out against repression? -- I cannot recall that specifically. 30

Public/...

Public meetings? -- I cannot recall that specifically.

Now, will you have a look at EXHIBIT "AJ3"? That is a document found in the offices of UDF Johannesburg.

COURT: Is that admitted?

MR JACOBS: That is so. It is admitted, UDF offices Johannesburg. Now, the heading of this document is "The UDF Campaign against Repression". -- I see that.

Do you know about this, Mr Molefe? -- I do not know about it.

And will you accept then that it was - a decision had been taken by the General Council meeting, the last one? When was the last meeting that you attended, Mr Molefe? -- I am not sure. I might have attended one general meeting in 1985. I cannot remember. There have been so many meetings that one attended. It is difficult to remember at this stage, but all I can say is that I was not present at this General Council meeting referred to here. 10

COURT: Is this a General Council meeting minute or is it a minute of a joint meeting of Descom, TIC, Anti-PC, FEDSAW, JODAC, DAM - whatever that is - with apologies from the UDF? 20

MR JACOBS: I am referring to the last General Council, in the first paragraph:

"A decision had been taken by the last General Council."

That is what I tried to find out.

COURT: Very well. -- I do not know anything about that decision.

MR JACOBS: Now, this meeting or the minutes here, was on 1 October 1984. Do you know when the last General Council meeting/... 30

meeting was before that? -- I do not know.

Now, this General Council, was it the General Council of the UDF or the General Council of the region? -- I do not know. I do not know these minutes. I do not know anything about it.

Will you accept then that there was a decision to establish a campaign against repression, the UDF and its affiliates had suffered? -- Well, according to these minutes, yes.

So then, will you accept that there was a UDF campaign on repression? -- I have got no knowledge of that. I cannot accept it.

Although you have got no knowledge, but will you accept that according to this there was such a campaign? -- May I quickly read through this page? It is just one page. Having read this document, I do not see anything that tells me that in fact that campaign was taken up. When one looks immediately at the paragraph below the one that is headed "Introduction - Purpose of the Campaign", below that you have "Proposals" and you see all kinds of proposals which were made by apparently a committee consisting of certain organisations, and which proposals were forwarded to the Transvaal Executive of the UDF. It does not tell me what the Transvaal Executive of the UDF decided in respect of those proposals.

COURT: JODAC and DAM, what do these words stand for? -- JODAC is Johannesburg Democratic Action Committee and - what is the other one? DAM is Detainees Aid Movement.

Were all these bodies associated with the UDF, affiliates of the UDF? -- They were.

Will/...

MR JACOBS: Will you agree that there was a decision taken by the last General Council meeting on the establishment of a campaign? -- I cannot say for a fact. The minutes purport that that decision was taken. I do not know. I was not there. I do not know the correctness of - how correct these minutes are.

And will you have a look at EXHIBIT "AJ4", just the next document?

COURT: What is the agreement on this document?

MR BIZOS: Possession of Prof Mahomed.

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MR JACOBS: Repression there, is it according to this minute a UDF campaign against repression, minutes of meeting held on 9 October? -- I see that.

Again it is the main UDF campaign, is that correct? -- That is correct.

And present, UDF, Anti-PC was affiliated? -- That is correct.

TIC was affiliated? -- That is so.

Descom was at the previous meeting as well? -- In fact all organisations there were affiliates save YCS and Speak.

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COURT: What is YCS? -- Young Christian Students.

Speak had been affiliated? -- Up until around June 1984. In fact I am not sure if Speak was an affiliate, but I suspect it was.

MR JACOBS: Now, on the paragraph "Report-back from the UDF Executive". -- I see that paragraph.

There it is that the UDF Executive approved the general aims of the campaign. -- I see that.

Will you accept that that is the general aims set out in "AJ3"? -- I believe so.

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So/...

So it was then accepted as a campaign of the UDF and referred to as a campaign of the UDF? -- Well, it seems so. But perhaps we should read on, what follows after that sentence that counsel has read. It reads as follows:

"They will look into possible names of people to sit on a commission of inquiry. They think the campaign as a whole should be referred to area committees. They think the existing committee should take responsibility for co-ordinating the campaign."

Then the last part is "Decision" and it says:

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"The committee appointed people to work on the following areas: (1) discuss these proposals with area committees; (2) investigate ways in which to take up the campaign on a public level and also to use the campaign to strengthen affiliates and area committees; (3) make recommendations as to the form of a commission of inquiry."

Now, once more, what this document is telling us is that the general aim, the general proposals of the campaign were accepted by the Executive of the UDF, and it suggests that certain things be done. This document does not tell us if those things were done and the actual campaign did in fact unfold.

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Mr Molefe, these things that you referred to now, is that not things referred to, that is in the execution of the campaign and not on the decision of a campaign being run? -- What I understand here is that the Executive is accepting the need for this campaign, but it is saying the matter should be discussed further by the area committees, and they are also talking about a commission of inquiry. I

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assume/...

assume that commission was to address the issue of repression itself, and then it sets out a number of things right at the bottom there under "Decisions". Now, all I am saying is that whilst one may accept that it does appear that in principle the campaign was approved by the Executive, there is no indication as to the practical implementation of that campaign. Maybe as we go on we will find documents which tell us more about that.

Is it not so, Mr Molefe, that the area committees cannot decide on it but it was already decided on by the Executive, the UDF Executive? -- No, that is not how the UDF operates. The UDF does not operate on the basis that once the Executive has taken a decision, it becomes law and nobody can do anything about it. It has got to be discussed because one would assume that area committees are comprised of affiliates, delegates of affiliates. They have got to discuss that and either accept or reject the REC decision, and if they accept it, then they would work out how they are going to implement the campaign.

I put it to you, Mr Molefe, that it was referred to the area committees after a decision by the Executive of UDF so that they can co-ordinate the campaign? -- No, what is written very clearly here is that the existing committee, and my understanding is that that committee comprises of these organisations that are listed here, was to take the responsibility of co-ordinating the campaign. I do not think it says area committees should do that.

And I put it to you further that it is accepted by the UDF Executive that the recommendation by the committee that the area committees should co-ordinate this campaign, that

is/...

is what is referred to here, because it is a report-back from the UDF Executive? -- I disagree with counsel. The paragraph here under "Report", I think the last sentence says they think the existing committee should take responsibility for co-ordinating the campaign. It does not say area committees, and I think if we refer briefly to "AJ3" it will give us an indication here of the composition of the committee that was formed. "AJ3" under "Proposals", point 1, item 1 says:

"A co-ordinating committee would be set up consisting 10
of the organisations present and RMC, COSAS, AZASO,
NUSAS .."

That is what it says at "AJ3". Now, I assume that the existing committee referred to in "AJ4" is the same committee that is referred to in "AJ3", not area committees.

I put it to you that there was a decision, a firm decision on conducting a campaign on repression, and this was in the execution of that campaign, that the campaign was run by the UDF. -- Well, I was in detention. I do not know, but the two documents which we have dealt with here 20
are not explicit on the actual implementation of that campaign. What they indicate is that there was a gravitation towards that position.

Mr Molefe, was there a campaign run on political prisoners? -- RMC, yes, has been running that campaign since, I think 1980.

And did the UDF support that campaign after it came into existence? -- I think by way of speeches, yes, and maybe some statements in documents, but I think EXHIBIT 30
"C102" which is the part of it, the secretarial report to
the/...

the NGC will shed clear light on that. It indicates clearly the role of the UDF in respect of the campaign for the release of political prisoners.

What do you mean by that, Mr Molefe? -- Well, it indicates clearly that the campaign has been conducted by the RMC up until that time and it says clearly that now that the leaders of the UDF have also been detained, perhaps we should now begin to pay more attention to that, to get the UDF involved in that campaign. But at the time of my arrest we had not developed a campaign on that. 10

Did the UDF actively support the campaign for the release of Mr Mandela and other political leaders? -- I do not understand what "actively" means.

Do you not know, Mr Molefe, that is the word that has been used in the documents of UDF by profusion? What do you mean, you do not know what does "actively" mean? -- Because I have explained that by way of speeches, by way of perhaps writings in UDF publications, the call for the release of prisoners would have been made. Now, when counsel says "actively" I do not know what he has in mind, 20 because he seems not to be agreeing with what I am saying.

That was on political prisoners, but I specifically asked you on Mandela then. -- Well, the UDF has from time to time called for his release.

And do you know, was that a national matter for the UDF? -- Well, the release of Nelson Mandela is a national matter.

And the other political prisoners? -- It is a national matter.

And I put it to you, it was very important to bring it 30

to/...

to the notice of the public that the UDF is in support of these political prisoners and Mandela? -- Well, the UDF has never hidden the fact that it called for the release of Nelson Mandela. That is at the heart of the UDF's call for a national convention, and we have openly made that call from time to time. But I still state here that the UDF did not run a campaign in that respect, and EXHIBIT "C110", the secretarial report therein, states clearly the position of the UDF in that respect.

And will you agree that the UDF did issue pamphlets and other documents for the release, actively participating in that campaign, by issuing pamphlets, other publications? -- I do not know of a specific publication that the UDF issued on the release of Mr Mandela. 10

Have you never seen any document issued by the UDF, national or regional, in regard to political prisoners, pamphlets? -- I cannot remember a pamphlet issued specifically to deal with that matter. I cannot remember.

Do you know of any documents or pamphlets being issued on Mogorane and the other people sentenced to death? -- I cannot remember any UDF pamphlet in that respect. 20

COURT: Just a moment, you refer to "C110"? -- That is correct.

That is a report on the UDF and the Black Local Authorities? -- No, I said "C102", I am sorry.

MR JACOBS: And the RMC, is that body affiliated to the UDF? -- Yes, after it had been campaigning for - I think well over two years, the release of Mr Mandela and other political prisoners.

Who was the person, the chairman of this committee? -- 30

It/...

It has regions. What region are we talking about?

Let us call it then - I suppose if it had regions, then there was a national office? -- No, I do not know. They had been working towards a national structure, but my recollection is that at the time of my arrest they did not have a national committee of the RMC.

Do you know how many regions there were? -- I am not certain as to the number of the regions, but I know there was RMC Natal, in the Transvaal, in the Western Cape, and the Border region. 10

Now, in the Transvaal, who was the chairperson? -- The chairman in the Transvaal was Mr Ketish Nkondo.

And he is a member on the Executive of UDF? -- He was on the Executive of UDF Transvaal, yes.

And Mr Aubrey Mokoena, do you know whether he was on the Release Mandela Committee? -- That is correct, he was.

COURT: What was his position? -- I think he was the publicity secretary.

MR JACOBS: In which region? -- In the Transvaal. I assume we are dealing with the Transvaal. 20

And Mr Mafison Marobe? -- I do not know if he was a member of the RMC.

COURT: Has his name always been spelt like that? -- No, M'Lord, normally it is spelt as Murphy.

Yes, I thought so.

MR JACOBS: Was Mr Aubrey Mokoena, was he on the Executive of UDF or the region? -- That is correct, both national and Transvaal region.

And Mr Nkondo also national and Transvaal region? -- He was only on the Transvaal Executive. 30

And/...

And in Natal, do you know who was on the RMC in the Natal region? Who was the chairperson? -- The chairperson was Mr Gumede, Archie Gumede.

And what is he in UDF? Is he one of the presidents? -- That is correct.

Is he also on the Natal region of the UDF? -- That is so.

COURT: How do you mean on the Natal region? On the regional executive?

MR JACOBS: Executive. Who else was on the Executive of the RMC in natal? -- I think Mr Paul David was one of them. 10

Who else? -- Well, I do not know the details. I can only mention those.

Do you know what position Mr Paul David had in the RMC? -- I think he was the secretary of the RMC. I am not certain about that.

Was he on the Executive of the UDF either national or regional or both? -- He was certainly not on the National Executive of the UDF, and in respect of the regional executive of Natal, I am not sure if he was a member or not. 20
But perhaps EXHIBIT "A1" might help us in that respect, "A1" and "C110" may shed light on that.

COURT: 110? -- 10?, sorry, M'Lord. It will have a list of regional executive members.

I do not find his name there.

MR JACOBS: And the other regions, where were they? -- There was a Border region of the RMC.

Do you know who was on the executive of the Border region of the RMC? -- I do not know.

And the other one? -- The other one was in the Western 30

Cape/...

Cape.

And who were the members of the Executive in the Western Cape? -- I do not know the members of the Executive.

I just want to - on Paul David we do not know. Mr Molefe, on EXHIBIT "A5" and on page - right in the middle of that little booklet, it is mentioned here that Paul David was an executive of UDF Natal. -- It may well be.

And according to this Mr Archie Gumede was also the president in Natal, of the UDF region. Is that correct? -- I thought in Natal they did not have a president. They had 10 a chairperson.

ASSESSOR (MR KRUGEL): What page, Mr Jacobs?

MR JACOBS: There are no pages. It is right in the middle. As ons begin om die voorblad te tel, dan is dit sewe.

COURT: The heading is "Western Cape" on this page.

MR JACOBS: That document was an issue of the UDF, Mr Molefe?

COURT: What is this document supposed to show at this page?

MR JACOBS: The Natal Executive of UDF.

COURT: The heading is "Western Cape".

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MR JACOBS: I do not know on the numbers. Can I just borrow it for a minute? On my left-hand side of this document there is a big heading "Natal", and then there is a picture on the other page, and I do not know if that is printed also in columns. The second column, it started with:

"The following officials of the Natal regional committee were elected: president, Archie Gumede, chairperson, Jerry Govadia, vice-chairperson Virgil Bonome" and then "Other committee members are", and there is the name of Paul David, in the second row of that column. This 30 was/...

was found in the UDF offices of Grahamstad and it was admitted as such. -- There is no dispute that Mr Paul David might have been on the Natal Executive. I might just have forgotten.

I am not saying there is a dispute. I just showed you that because we could not find it on the other one.

THE COURT ADJOURNS. THE COURT RESUMES:

POPO SIMON MOLEFE, still under oath:

FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Molefe, Mr Murphy Marobe, was he also the chairperson of Speak? -- I 10
do not know about that.

According to this EXHIBIT "W70", and that was found in the offices of Grassroots in Cape Town, and it is Speak, The Voice of the Community. Dit is Volume 12 van die "W"-reeks. Just look at the top, first page, right-hand corner there.

"Speak demands the immediate release of our chairperson, Murphy Marobe and all other detainees."

-- I see that.

Now, do you know whether he was the chairperson of 20
Speak of not? -- I do not know.

Do you accept that he was? -- I do not know.

COURT: You are referring to which page?

MR JACOBS: Page 1, the first page, the right-hand corner at the top. Mr Molefe, at the time of the launch of the UDF on 20 August 1983, resolutions were accepted on that meeting during the conference? -- That is correct.

Why were they accepted? -- Well, they were accepted to express an attitude, the attitude of the organisations gathered there in respect of the issues on which those 30
resolutions/...

resolutions were adopted.

Mr Molefe, I have seen somewhere in one of the exhibits, "V1" or "V26", that it was said that they must be put in operation as soon as possible. Now, how could they have been put in operation? What is the meaning of that? -- I do not know. I would appeal to counsel to place the exhibit before me so that we deal directly with what is on the exhibit.

I will bring it back to you later. Were they to be put into operation? -- Well, the resolutions are not a program of action. They are merely there to express an attitude, but obviously with the march of time attempts would be made to look at how best to implement the resolutions. But I know for a fact that certain of those resolutions were implemented, for instance opposition to the new constitution, constitutional proposals and the Koornhof bills, those became campaigns of the UDF. 10

Were they then to be implemented as issues to be taken up by the UDF? -- Not really all of them. Some of them are really merely to express an attitude, say for instance if you condemn what the United States Government is doing, other than just saying that it is bad, there is nothing else one can do. 20

Mr Molefe, was it not part of the drive then in respect of the United States and the other Western states that support South Africa, to implement a resolution on that by way of having them - of isolating South Africa from them? -- In that sense it is putting pressure on them to put pressure on South Africa to change its policies.

And not to be party to constructive engagement? -- 30

Yes/...

Yes, to be much more open in dealing with the policies of apartheid, rather than in the quiet where nobody can make out what is happening.

So it was actual fact, they were all issues to be acted on by the UDF? -- In a sense they would be addressed with the march of time, but whether that happened is another thing. Statements were made that we do not think your constructive engagement is the effective way of dealing with the policies of apartheid.

Can you tell the Court, were any of them not addressed 10
by the UDF? -- Maybe I should have a look at the exhibit so that we can deal specifically with each of them. I think if we are dealing in general terms, one may have problems. The first resolution I see here is on housing. Nothing was done except discussions from time to time, and the meetings of the NEC and the secretariat, with a view to calling a conference of organisations affiliated to the UDF to discuss how best to address the issue, the housing policy, yet at the time of my arrest nothing was done in that respect.

Do you know whether in the other regions anything was 20
done? Any publications issued on housing? -- UDF publications?

Yes, and publications of the affiliates of UDF who also were party to the acceptance of that resolution? -- I do not know. In any event, affiliates of the UDF on housing, say for instance the Cape Housing Action Committee, CAHAC, had been in existence long before the formation of the UDF. It had been issuing publications on housing long before the UDF came into existence, and similarly with the Durban Housing Action Committee, DHAC, it had been issuing 30
publications/...

publications on housing long before the formation of the UDF. One would assume that even after the UDF was in existence, they would continue to do what they were doing because they had been formed specifically as organisations that concerned themselves primarily with the issue of housing.

And do you know whether after UDF came into existence, they issued any publication in conjunction with UDF or under the name of UDF? -- I do not know of a publication. I know that I as the general secretary of the UDF asked the Western Cape region of the UDF to work jointly with CAHAC 10 on the proposals for the discussion on the housing conference, to lay the basis for a program of their housing conference which we expected to take place, and then they produced some proposals a copy of which is here as an exhibit. I cannot remember offhand what exhibit it is.

Mr Molefe, do you know of any decisions being taken by the National Executive of the UDF on the matter of housing? -- That is so.

In what regard were these decisions taken? -- I think the National Executive took a decision, if my recollection 20 is correct, in January 1984 at its meeting it held in Pretoria, that the national secretariat should investigate the possibility of co-ordinating organisations on the issue - with a view to taking up the issue of housing, and I think later on again a report was given at the NEC meeting held on 1 and 2 June 1984. By that time there had not been any conference organised yet.

You said it was - was it the general secretary who had to go into this question of housing? -- I think it was said the national secretariat. 30

That/...

That includes you? -- That is correct.

And do you know what was done in this regard? -- In that regard I made a specific request to the Western Cape region of the UDF to work jointly with CAHAC, the Cape Housing Action Committee, on proposals for the discussions which would lay the basis for a conference on housing, and they did work out those proposals.

Where was the conference to be held? -- Initially there was no specific venue, but later on an agreement was reached that that conference would be held in Natal. 10

And was it held? -- It was not held.

Why not? -- Well, there were other urgent matters that the UDF had to address from time to time, and there were problems also because a conference of that nature would have necessitated prior discussions in the affiliated organisations. So that process was taking place but it was rather too slow, and we kept on postponing it from time to time. At the time of my arrest we were hoping to hold it still around, I think June 1985.

Mr Molefe, just before we go on, you asked me to refer 20 you to the place where it was said that the resolutions must be put into operation. That will be EXHIBIT "V1", that is on page 40. That is in the speech of Mr Aubrey Mokoena. It starts on page 37, and on page 40 .. -- Are you looking at page 40?

40, yes, that is the paragraph starting in the middle with "What are we going to do". Can you read that please? --

"What are we going to do? What are we going to do? We must address ourselves to this whole question here.

UDF in order to be meaningful must be action-orientated. 30

UDF/...

UDF must be action-orientated. We must move from this place here. This is a whole battery that is charging us. We have come here to come and energise ourselves and to be charged as the terminals of this battery, and then we go back to our places to form branches of UDF throughout the country. We go back to build the image of UDF. We go back to popularise UDF. We go back to set up meaningful community development projects that are going to improve the quality of the lives of the people, that are going to show the people that there is hope at the end of the tunnel. The resolutions that we have taken must be fully implemented with dedication and with genuineness, and finally, in order to exhort you, I would like to say that the gospel of UDF must be seen to all the ends of the country and indeed go overseas, and we say we are united, we are going to stand. If we are divided, we are going to fall."

COURT: Yes, except for the correction that the word "seen" has been replaced by the word "preached" in my copy of the transcript.

MR JACOBS: That is correct. It was corrected as "preached". -- Just a comment on this point. This speech was not delivered in the conference. This was a speech presented by Aubrey Mokoena at a rally, mass rally. That mass rally was not a decision-making meeting, policy-making meeting. It was really some sort of entertainment with a lot of speeches and so on. The actual conference is the one that was attended by a little over 1 500 people, what we could say, about 2 000 people, that really discussed crucial matters like the/...

the working principles, declarations and so on. This was just - he was just expressing his wish. He was impressed by what happened and he wanted to impress upon those present the importance of carrying on with the work.

Was he also a delegate in the decision-making part in the conference? -- Yes, he had been there.

Was he part to the acceptance of these resolutions? -- That is correct.

And he was also on the Executive of UDF? -- Yes, he had just been elected on the Executive.

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So this is not only to express a view, but this is to express the view of the UDF, that he was speaking thereof? -- Well, I do not know how one could say that, because when he was invited to speak at the conference, he was not invited as a UDF person. He was invited as an individual. He had been banned and the order had just been lifted, and we asked him to speak there. Even his speech, we did not sit down to discuss his speech, to say, this is the line you have got to present. He just spoke there expressing his own views.

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Now, in regard to the other speeches, did you sit down and spoke to the speakers and set out the line in which they have to speak? -- In respect of Reverend Chikane and I think also in respect of the acceptance speech of the president, there was some discussion.

Who else? -- Those two only.

Now, is it then correct that on the housing, that the UDF did address it and did take steps in this regard? -- Yes, in the sense that I have explained it.

Now, you are finished with the one. You said you want

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to/...

to handle with all of them. You are finished now with the first one. The second one, resolution? -- The second resolution deals with the resolution on women.

Did the UDF address itself on this issue? -- Well, I cannot recall any specific way. In fact the UDF did not imagine that it could do anything about the issue of women, except supporting women's organisations in their activities.

Did UDF do anything in reviving or bringing about the women's organisations and forming the women's organisations? -- I do not know of such attempts. 10

You as secretary, I suppose you should have known if anything like that happened? -- I do not recall any participation by the UDF in setting up new women's organisations, but I know that there had been discussions in terms of - with a view to resolving differences that had existed amongst certain women affiliates of the UDF, to create some harmony amongst them.

Do you know whether UDF did help and did assist or did take part in the setting up of FEDSAW? -- That is a very old organisation. It was formed, I think, in 1953 or 1954, 20 many, many years ago, and it became dormant for some time and I think they started reviving it in 1981. By the time the UDF was formed FEDSAW had long been revived.

So you say it was not revived during the time of the UDF, from its launch in 1983? -- I say the process of revival started in 1981. By the time the UDF was formed it was there already. They might have gone on, of course, to set up new branches and so on, but it was there already. That is why when the Transvaal UDF is set up, FEDSAW comes in as an affiliate. 30

Do/...

Do you know whether the UDF were instrumental in setting up FEDTRAW, the Federation of South African Women Transvaal? -- As far as I am concerned the UDF was not instrumental in that. It was the efforts of women themselves.

Do you know whether the UDF arranged - or the education committee of UDF arranged any workshops in liaison with women, in regard to women? -- I do not know about that.

You cannot dispute it? -- I cannot dispute it neither can I confirm it.

And do you know whether the UDF published any publications, pamphlets or anything through the UDF media, either national or regional in order to organise women in order to assist them? -- Assist them in what sense? By giving them those publications, to printing and paying for their publications? 10

Yes? -- I do not know about that. The UDF National did not do that as far as I am concerned.

Go to the next one please. -- The next resolution is on militarisation, and I think we have dealt extensively with this question. I relates really to conscription. 20

So the UDF addressed it to that one? -- We dealt with it yesterday.

And the UDF addressed that resolution? -- In the sense in which I dealt with it yesterday in my evidence.

Yes, and the next one? -- The next one is workers.

Now, in this regard, did the UDF address this issue? -- By way of trying to win the trade unions into the UDF, strengthening the relationship between the UDF and the trade unions, and participate in say, around Mayday activities, to that extent, yes, but this was not really what one could/... 30

could call a campaign.

Did the UDF try to bring about the launching of a federation of unions? -- Not to bring about that, to encourage that, because the discussions on the need for a federation of trade unions, started I think, as early as 1981. Those discussions had been going on since that time, and by the time we formed the UDF, there had already been - a decision had already been taken by trade unions to form what they used to call a superfederation. By that time they were really just working on the mechanics of the actual 10 launch of that federation. So the UDF did support the idea by word of mouth.

But did they actively speak out about the federation being formed and trying to get the workers and the unions to do that and form that federation? -- No, I do not know of the UDF moving out to persuade workers to do that, but in a resolution it would have encouraged that, but the actual participation in getting unions to form that, I do not know of any involvement by the UDF.

Did the UDF involve itself with the unemployed in the 20 sense of forming a union for unemployed? -- I know of no such. That was not done.

And did the UDF take up the matter of the unemployed? -- It has not.

It never said anything about the unemployed? -- Some officials might have spoken about unemployment, or resolutions might have said something about the fact that the situation of unemployment must be alleviated, there must be a call for jobs for all, something like that, but I do not know of specific and deliberate activity by the UDF around 30 that/...

that.

So it is then correct to say that the UDF did address the issue of workers? -- Well, in the sense that I have mentioned.

Go on? -- In the sense that I have mentioned, that there is a need for better working conditions for the workers, a need for better pay and so on, the kind of things that people normally talk about.

The next issue? -- The next issue here really, it is a resolution on education, and the resolute part thereof 10 says to fully support the struggles being waged by our students, to continue the fight and demand for a single non-racial and democratic system of education for all in a democratic South Africa. The last point says that students, teachers and community organisations should unite to fight for democratic education.

Did the UDF address this issue? -- It has in a particular way. I had already set out my involvement in attempts to resolve problems relating to class boycotts in Pretoria and in the Vaal Triangle, but the UDF was not able 20 to address this thing in a systematic way at a national level, but at the beginning of 1985 moves were set in motion to begin to address the issue much more fully.

Did the UDF address the matter of the teachers in Cradock nationally, through you? -- By way of calling for - I think it was a day of protest around July 1984, but that did not materialise. It was never implemented.

Is that the only way? -- That is what I recall, and I think the other way was to have I think a public statement issued, and we had of course received a report that teachers 30 were/...

were circulating a petition to be signed somewhere in the Eastern Cape for the reinstatement of teachers, but I could not remember specifically whether that was with respect to the situation in Cradock or it was just somewhere else in the Eastern Cape.

Did the UDF address the issue of teachers and other school matters in Cradock? -- Well, in the sense that I have mentioned.

Only in that sense? -- I cannot remember any other. It may well be that - yes, that is all I can remember in that respect. 10

Did the UDF address the matter of the SRC's in schools? -- The UDF supported the call for SRC's, but it did not take any specific initiative in that respect.

Did it not take specific interest and steps in the forming of youth organisations? -- Are we talking about the school situation or are we moving away now?

It is in regard to school situations? -- I do not know of any youth organisation that was formed by the UDF in relation to education or any other matter. 20

But insisting in it? -- Insisting?

Yes, assisting in the forming of youth organisations? -- I cannot recall that. It may well be that it was asked to assist.

Did the UDF take part in and encourage the drawing up of an education charter? -- I am not certain. The UDF National did not participate in that, but the initiative came from the affiliates, NUSAS, AZASO and COSAS, and the UDF called for a support by regions and other affiliates of that campaign. I think the education charter really was a matter/... 30

matter that was going to be handled by those affiliates and it was not going to be something, as I understood it, that was going to be drawn by people sitting in their offices or executive meetings. It was going to be a product of consultations with a wide community, on the nature of education that they thought South Africa should have, the South Africa of the future should have, so that it was really an ongoing process that involved thorough consultations with various communities in all parts of the country. But it was not an initiative of the UDF.

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And that was under the auspices of the UDF? -- No, no, as far as I understand it was not under the auspices of the UDF. The UDF supported that, and I think, if we could refer to EXHIBIT "C102" it would once more tell us something about the education charter campaign. I may also indicate that in fact the decision to launch an education charter campaign is much older than the UDF itself. It was taken before the UDF was formed, and my recollection is that it was first decided at a meeting of COSAS and AZASO in 1982, and it was finalised, I think some time in July 1983. So that it is something that developed quite independently of the UDF.

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Mr Molefe, did the UDF assist and support AZASO and COSAS on the education issue? -- Well, we pledged support from time to time.

Not pledged only, but did they support it? -- In what sense? I do not understand the question.

In the sense of supplying information, in the sense of organising meetings, in the sense of - in a general sense of supporting it? -- I do not know if the UDF did organise meetings/...

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meetings for others. I cannot remember.

In addressing meetings? -- Oh yes, the UDF officials, if asked to address meetings they would address meetings. It might well be that they were invited to address education charter meetings, but I cannot as of now think of a specific meeting on the education charter.

And I suppose you do not know whether any documents were issued by the media, UDF media on the education issue? -- I do not know, but all I know is that the National Executive of the UDF did not take any decision that the media must be issued in that regard. I cannot remember any decision by the NEC. 10

Do you know whether the UDF education committee held any workshops in regard to education matters? -- What kind of education matters?

The Black education matters? -- I do not know of such a workshop.

Do you know about this EXHIBIT "AB1", that is in Volume 1 - that is "AB7", the sixth document? That is a press statement, it is a document found with Pirow Camay of CUSA. 20

COURT: I am sorry, document 7 of "AB7" is a letter.

MR JACOBS: "AB7", document 6.

COURT: Issued by Transvaal Area Committee.

MR JACOBS: No, this is a press statement issued by the Transvaal Area Committee, yes. -- Is it the one in a funny typewriting like cursive?

Yes.

COURT: What is the question?

MR JACOBS: Do you know about this document in the first instance? Have you seen it before? -- I have not seen it before/... 30

before. I saw it as an exhibit in this case, and this area committee, this is not a UDF committee as I see it.

Did you attend any of these meetings? -- No. My impression is that this document is dealing with matters that took place when I was in detention.

But it was held at Khotso House on 10 October 1984? -- It may well be. I do not know.

Is that in the UDF offices or at the UDF offices? -- I say I was not there. I do not know. There are very many offices there at Khotso House. 10

COURT: Where were the documents contained in "AB7" found? I am sorry, we are only referring to "AB7" 6.

MR JACOBS: Document no 6 was found with P Camay of CUSA. On document 6 there are a lot of organisations mentioned on page 1. Are they all - do you agree they are all affiliates of the UDF? -- Maybe I should read it quickly.

If you start at page 1 and it goes over to page 2. Can you just mention if any of those documents are not affiliated to UDF? -- Well, ^{AY} VECO to my knowledge was not an affiliate of the UDF. I do not even know the organisation, 20 and 16, ^{WARR} ~~Wadeville~~ Youth League, my recollection is that it was not an affiliate of the UDF. I do not know it. YCS on the next page, no 19, my recollection is that it was not an affiliate of the UDF. I think it was not affiliated, and then the others, many others referred to, 20, I do not know what that refers to. FOSATU was also not an affiliate of UDF, and SASPO ⁶ Transvaal as at the time was not an affiliate of the UDF. SASPO ⁶ is at no 8 and FOSATU is no 5 on the first page of this document. I think that is all.

Mr Molefe, can we accept then that the UDF did address 30
the/...

the issue of education? -- The UDF? On the basis of this statement?

No, on the basis of general - on what I asked you and what you said to the Court? -- Well, insofar as the explanations I have given hold, to that extent, yes.

The next one, the next issue or resolution? -- The next issue is Ciskei.

Is it then correct to say that the UDF did address this issue? -- We have dealt at length with that issue yesterday, in the context in which I have explained it, 10 yes.

You did address it. That is the main question. The next one? -- The next one is the Bantustans.

And did the UDF address .. -- All this resolution is saying is that South Africa belongs to all South Africans, that South Africa is one indivisible whole and hereby resolves to reject the Bantustan policy and the Bantustans unqualifiedly.

And did the UDF address this issue? -- I do not know of any specific way in which the UDF dealt with the problem 20 of Bantustans. Maybe insofar as we from time to time said there was a need for us to organise in the homelands as well, to that extent, yes.

Did the UDF organise in the homelands? -- Well, I believe when - in a sense, yes, we had affiliates in Ciskei, we had affiliates in Kwazulu. I believe that they would have been doing some work, but the UDF per se, I do not know of a specific program of the UDF with regard to homelands.

Was it not linked up with the question of removals? -- 30

We/...

We have dealt with the issue of removals.

Was this not - the homelands, was it not linked up with the issue of removals? -- In a sense it would, in the sense that quite often people who are removed from urban areas are sent to homelands or certain parts of South Africa which were actually regarded as South Africa, were then consolidated to become part of homelands, but as I see it here, it is dealt with as a separate issue, so that insofar as the issue of Bantustans is concerned, as a separate issue, I do not know of any UDF activity, program to do 10 anything about that.

Were there any meetings held to condemn the system and people - mass meetings and what transpired in any of the homelands? -- From time to time if there was something relating specifically to the homelands, people would speak about it, but I cannot think of a specific meeting, except of course in the rally that was held in the Northern Transvaal, we obviously spoke about the conditions of life of people in the homelands, the fact that there were no jobs.

Yes, it is not a question of the people speaking. I 20 am asking specifically on the UDF people, activists in the UDF. -- I am talking about myself and I was at that meeting.

Yes, and generally in the UDF, was it part of an issue to bring the people under the impression that they must reject the homelands, reject the leaders in the homelands? -- I reject the suggestion that the UDF bring people under the impression. The policy of homelands is rejected by the vast majority of the people in South Africa, and it has been spoken about openly from time to time. So that we are not impressing upon anybody. All the UDF does is to state 30 its/...

its position, its attitude vis-à-vis the policy of separate development, which is in any event part of the policy of apartheid, and as I indicated, the UDF - I cannot remember any specific situation where the UDF developed a program on that issue or a campaign on that issue. It is something that some speakers might have alluded to in their speeches from time to time, especially those who are affected directly by the homelands, say people in the Northern Cape, people in Natal, people in the Northern Transvaal and so on.

But not some people. I am speaking about people in 10
the Executive of UDF, people in the Executive of the regions and people in the Executive of affiliated organisations? -- I cannot recall a specific instance. I want to appeal to counsel to refer me to speeches in that respect. I think that way we would move faster.

Did you yourself speak against homelands and the leaders in the homelands on any mass meeting except for the one in Northern Transvaal? -- I believe I have, possibly at that meeting around repression in Ciskei, I might have, and I believe I might have read a resolution in respect of home- 20
lands at a meeting held in November 1983 relating to the killing of the student at Ngoya University. I might have. I cannot remember specifically now.

And did it happen then that at these meetings where you were present, that the leaders in the homelands were made out to be puppets of the Government? -- It may well be. I think so.

Do you know whether the UDF media published any publications on the question of homelands and homeland leaders? -- Specifically on that? I do not know. I cannot remember. 30

Do/...

_Do you know of any UDF News' being published with that - articles on that? -- I cannot remember specifically. People might write, you know, anything that they think is newsworthy. It may well be that it was written about.

And would you accept that the UDF did address the issue of homelands? -- In the context in which I have explained, in that context, if you are dealing with it in that context, yes.

Mr Molefe, just one thing now. When you said that South Africa shall belong to all, the whole - you said 10 something like that. Is that in line with the Freedom Charter? -- The Freedom Charter also makes that statement, I think. This was not said specifically because the Freedom Charter said so, but it is said because the UDF itself believes in a unitary South Africa and a single government, a South Africa that is unfragmented and that clearly means that all the citizens of this country must be treated - all the people in this country must be treated as citizens.

And the next issue please? -- I think that same statement has been made time and time again by the PFP, it has 20 been made by several other people, those who refuse to take independence of homelands, that South Africa belongs to all of us.

Is that the statement you are referring to? I just want to find out which statement you are referring to when you say that. Now I understand. -- I am referring to the last sentence I was asked about.

COURT: Counsel has in the meantime attempted to move on to a different issue. -- I am conscious of that. I just wanted to add to what I had said. I see the next issue here is 30

cost/...

cost of living, a resolution on cost of living. The resolute part says:

"To continue to struggle for a basic right to cheapen nutritious food and other essentials; to create and join democratic organisations through which we will fight for these rights."

MR JACOBS: Did the UDF address this matter and did it fight for this, to create organisations and fight for these rights? -- It did not. We dealt with this aspect again yesterday when we were dealing with the decisions of the 10
NEC, the decision of the NEC of 1 and 2 June 1984, and what my colleague Mr Lekota was asked to do in respect of these issues. Nothing was done about this.

Nothing at all? -- Well, there might have been writings about that in publications. It might have been mentioned in public speeches. These are the kind of things that people in South Africa are talking about, from both White and Black communities. They are complaining about high food prices, the decline of living standards and so on. They talk about those things. 20

Yes, but I am not interested not in the people of South Africa. I am more interested in the UDF, whether they addressed this. Do you refer to the writings of UDF and do you refer to the people who spoke about it, to the people in UDF? -- Both.

And this also is in line with the Freedom Charter, is it not? -- What Freedom Charter? I do not understand, what section of the Freedom Charter?

This about .. -- I do not think that the people are taught by the Freedom Charter that the prices are high. 30

That/...

That is just simple and common sense. When a price is being increased, you see that it is increased, and if you are earning less, you know that I cannot afford that. You do not have to be taught by the Freedom Charter that the cost of living is too high.

No, I am not saying you must be taught by the Freedom Charter, but is this in line also with the principles of the Freedom Charter? -- Which principles?

That there must be distribution of food for everybody and there must be enough for everyone? -- Which section of the Freedom Charter? 10

COURT: Please be specific, Mr Jacobs. It is very difficult for the witness to answer this type of question.

MR JACOBS: I will leave it at that. What is the next one? -- The next aspect deals with the detentions, political prisoners and exiles, and it says:

"We demand immediate release of all detained under security legislation; the immediate release of all political prisoners; the unconditional safe return of all political exiles; the repeal of all security legis- 20
lation relating to the detention, bannings and banishment of people engaged in the freedom struggle."

I think we have dealt with this issue. This really relates to the question of repression. I think this is the aspect that learned counsel started with.

And this was then addressed by the UDF? -- I have explained what the UDF did. I was given exhibits here of minutes of some committee and I have given my responses to that.

The next one please? -- The next one is a resolution 30

on/...

on Namibia, and I think there has been a mistake here, because the other part of this resolution, the resolution is at page 31, but part of it is not in the next page, it is on page 33 at the top.

COURT: What is in between? -- In between there is removals and Group Areas, harassment and repression.

MR JACOBS: Mr Molefe, can we just go back to the detentions and political prisoners and exiles? Something that we have noticed in this is that all the others so far that you dealt with is that you resolve at the end, but with this 10 one there is one - now it is not "we resolve" but "we demand". -- Which one are we dealing with?

That on detentions, political prisoners and exiles? -- Yes, I see that.

That is on page 31. -- I see that.

And what are the demands? Can you read them out? --

"A call for the immediate release of all detained under security legislation; the immediate release of all political prisoners; the unconditional safe return of all political exiles; the repeal of all security 20 legislation relating to the detention, banning and banishment of people engaged in the freedom struggle."

MR JACOBS: So why was it then made a demand in this case and in the other cases only a decision, a resolution? -- I cannot attach any specific reason to that, save to say that people who draft resolutions have got their own way of drafting that. Perhaps the person who was writing this chose to write the word "demand", the phrase "demand", "we demand" rather than "we resolve", but I think it does not materially change - it does not really matter much here whether he 30 says/...

says "demand" or he says "resolve".

Was it not discussed at the conference? -- Well, resolutions were discussed, motions were discussed there.

And was it mentioned there why it was now taken to be a demand? Was it discussed? -- No, it was not.

MR BIZOS: M'Lord, insofar as it may be suggested that it is the only resolution that demands, it is not so. The next one on removals "demands, urges and salutes". So it not always "resolve".

MR JACOBS: M'Lord, I just referred back to the previous one that he dealt with already. I have not said anything about the others. All those that have been dealt with so far. 10

Carry on with the next one.

COURT: Have we now completed Namibia?

MR JACOBS: No, it was only the political prisoners. We are going over now to Namibia. -- It says:

"We therefore demand the immediate and unconditional withdrawal of South Africa from Namibia and the unconditional release of all Namibians in South African 20
gaols; we reject with contempt the attempt by the USA in particular to link the withdrawal of South African troops from Namibia with that of the Cuban from Angola; we pledge our full and unqualified support to the heroic struggle of the Namibian people under the ..
leadership; we demand that the SADF cease their illegal action in Angola."

MR JACOBS: Did the UDF address this resolution? -- This resolution merely really refers to the attitude of the UDF. I cannot think of anything practical that the UDF did in 30
respect/...

respect of this.

Did the UDF invite anybody from SWAPO to address the UDF? -- That is so, but I think it was in a different context.

Why was he asked to address you? -- I think there were two reasons really to that. The first one being to jack up the publicity work of the UDF in respect of the election boycott campaign which was due in August. Secondly to have at least someone from Namibia to inform us about developments there in Namibia, how they as Namibians see the situation there. Those are really the two reasons. 10

Now, how could a person from SWAPO and Namibia bolster the election boycott campaign? -- There would be a lot of publicity and newspapers would be interested in that. A lot of people would come if they had heard that someone from a neighbouring state was coming to South Africa.

COURT: What was he? Was he a SWAPO democrat or an external SWAPO? -- SWAPO of Namibia, internal.

MR JACOBS: Do you know whether on public meetings arranged by the UDF and addressed by speakers from UDF or affiliates of the UDF if anything was said to the people in regard to Namibia and the plight of the people because of the Government or the army in this country? -- I cannot think of a specific meeting, but I think apart from this national launching conference, it may well be that at some meetings people spoke about that. These are the things, the Namibian issue is really an international issue. It is written about in newspapers, spoken about on radios and so on. I would not be surprised if UDF officials in their speeches referred to it. 20 30

Do/...

Do you know whether this was linked up, the question of Namibia, was it linked up to the question about the military and the conscription in South Africa? -- There are definite connections between the situation in Namibia and the question of conscription, and I think those who dealt with the issue, who in their speeches spoke about conscription are likely to have mentioned it from time to time because the view was really that once Namibia was given its independence, then that would help reduce the need for South Africans to go and fight on the borders of Namibia. 10
In a sense therefore it would create a situation where the whole question of conscription would no longer be necessary, compulsory military service would no longer be necessary.

COURT: Was the position of this as far as compulsory military service is concerned that in fact only a small fraction of the membership of your affiliates was affected thereby? -- No, that is not how we look at it. We had White members, and then we had a vast bulk of organisations from the Indian and Coloured communities, and it was clear from the utterances of Government ministers, cabinet ministers that the 20
intention was to extend conscription to those people also. And it really affected us, and even if it really affected the Whites only, we still have a problem because from time to time the army is now used in the townships, and it is playing a political role in the townships. It is no longer really defending the country against the foreign enemy. It is used against unarmed civilians, and those who were really in the forefront of this issue of conscription felt that it was an unjust - those were unjust activities, an unjust war. But really, like I indicated, the issue of conscription 30
was/...

was at the heart of the constitutional proposals. It was going to affect the Coloured and Indian communities, and as I indicated also, members of the Indian chamber had been debating this issue and advertising their position on the issue of conscription, stating clearly that they will not support conscription as long as apartheid subsists.

MR JACOBS: Was it not used as propaganda in order to get the people - because of the fight against terrorists, that they must not be part of that? -- No, that is not a consideration. The consideration was the one that I have 10 mentioned.

And was it not put over and over that they will fight their own people there on the borders? -- That might have been said, but that was not the primary consideration. That would have been mentioned or linked to the extent that the longer the apartheid system continues, the longer repression continues under apartheid, the more distant a peaceful resolution of the problems of this country would be, and the more and more young people would be forced to go and fight on the borders and die there in defence of apartheid, 20 and similarly those who become hopeless in the Black communities, oppressed communities, would continue to leave the country and they would continue to die on the borders. So our concern is for the loss of life from both sides, because all those people who are dying there are South Africans. They are not foreigners, and we believe that an end to apartheid will put a stop to all these unnecessary deaths. It would also put a stop to conscription itself.

Is it not the other way around, Mr Molefe, that if you make an army weak, then it would be easier for the ANC and 30

Mkonto/...

Mkonto We Sizwe to eventually overthrow the Government? -- We reject that. We are not involved in those kind of affairs. That is not part of the UDF policy.

Is it correct that the UDF associated itself with the struggle of SWAPO in Namibia? -- I think in the context of this resolution, yes, and it is clear even from the invitations that we issue, that we were more concerned about SWAPO that operates as a legal organisation, otherwise we would have invited messages of support from Sam Nyoma and others. We understood fully that SWAPO is allowed to operate legally in Namibia. 10

COURT: Did you canvass the messages of support you got? -- Some of them we did. Some we just got ..

I suppose that is politics. -- Yes, M'Lord.

MR JACOBS: What is the next one, Mr Molefe? -- We were really supposed to move to page 32 and deal with removals and so on, and then repression, but I thought we had already dealt with those fully.

ASSESSOR (MR KRUGEL): Mr Molefe, just on this latter matter of SWAPO, the support for SWAPO, you say that what you have published here is support from the internal wing of SWAPO. 20 If we look at page 33, the third item there at the top:

"We pledge our full support and unqualified support for the heroic struggle of the Namibian people under the gallant leadership of SWAPO."

-- Yes.

How would the reader know that you are here referring to SWAPO internally, and not to SWAPO under the leadership of Mr Nyoma? -- I see the problem, but I think it was just the way the writer .. 30

A/...

A slip of the pen? -- Of the pen, but we had in mind SWAPO in Namibia and even when we had our exchanges it was exchanges with SWAPO in Namibia.

COURT: Do you distinguish between SWAPO in Namibia and SWAPO external? -- That is so.

Are those the names used? -- No, we have not used external here.

But I mean, when they are distinguished? -- Yes, though not always. Sometimes it is mentioned SWAPO external, SWAPO internal. 10

MR JACOBS: Is it not so, Mr Molefe, that you cannot invite Mr Nyoma to South Africa because he will be arrested? -- Yes, but we can ask for a message from him. He will not be arrested if he sends a message.

Yes, go on? Removals and Group Areas, that was addressed by UDF, removals? -- We dealt with that at length. I have got no other answers.

And Group Areas? -- I think save to say that there has always been a call for Group Areas to be - laws on Group Areas, the Group Areas Act to be scrapped, that is all one 20 can say about it.

Do you know of any publications to propagate against the Group Areas Act and so on issued by the UDF? -- I do not know. It may well be that it was mentioned. It is one of the apartheid laws which must be scrapped.

The next one, harrassment and repression and that was addressed by UDF? -- We have dealt with it. A number of exhibits was put before me. I cannot explain beyond that.

And imperialism? Was that addressed by the UDF? -- In a sense in respect of the US and Britain, by way of putting 30 pressure/...

pressure on foreign diplomats, contact with foreign diplomats, to recognise the fact that the UDF was a voice they could not ignore, and that the apartheid policies were not acceptable and that they should influence their governments to put pressure on the Government of South Africa. In that sense, yes.

Was it only to put pressure on South Africa or in order to isolate South Africa? -- Well, in a sense I think it would isolate South Africa in the sense that if South Africa refuses to move away from the policies of apartheid, 10 those governments may take certain steps which might isolate South Africa.

Was this part of the drive to boycott South Africa on economic and other areas? -- No, it was not conceived as such.

In cultural areas? -- No, it was not conceived as such.

And in sport areas? -- That was not the position.

Do you know of any documents or media issued by UDF in this regard? -- Which regard? 20

On sport, cultural or other - economic boycotts against South Africa?

COURT: Just a moment. Are we now dealing with imperialism?

MR JACOBS: I take this under imperialism.

COURT: Should one deal with boycotts, sports, cultural and otherwise under imperialism?

MR JACOBS: I will come back th en to it.

COURT: Let us stick to imperialism for the moment, and not for a very long moment.

MR JACOBS: Actually without this I am finished with this, 30
because/...

because you said that there was pressure to isolate South Africa. And that was an important factor to get South Africa to be isolated. Is that correct? -- An important factor is to get South Africa to change the policies of apartheid. We are not so much interested in isolating South Africa. We are more interested in putting pressure on the Government, on the South African Government to change its policies.

And if the Government is not prepared to change its policies, then there must be isolation? Then it was an 10
important factor in that regard? -- As part of that it may well end up in isolation of South Africa, because our thrust was to influence, to convince the friends of the South African Government that its policies are wrong and we cannot continue to support - they could not continue to support a government that is based on the will of a minority, when the majority of the people in the country had no vote and were subjected to conditions of poverty in the country of their birth. We had to convince them that their logic was incorrect, that a government can be democratic based on the 20
will of a minority, that those principles that are applied in their own countries, that the government must be based on the consent of the governed, must equally apply in South Africa.

And they must also be convinced that if the Government is not prepared to change, that will satisfy the UDF in a national convention, then South Africa must be isolated? -- We do not work on the basis that South Africa will not change. All we are saying is that we are saying to them, put pressure on this Government to change. You cannot 30

continue/...

continue to support this Government against the majority of the people. Change your attitude, be on the side of the majority, be on the side of those who stand for justice, those who are right; speak once and for all that evil is evil. That is all we are saying. I do not deny the fact that that could lead to isolation. In fact that is one way of pressuring the Government to change. You isolate it, then it realises that we have got no friends, then it realises that for us to maintain our relationship with our friends we have got to do the right things. 10

Mr Molefe, you use a very wide term, "change your attitude". Now, did you explain to the other governments what change you envisage? -- No doubt we did.

And the only change that will be accepted by you, did you explain that? -- Fundamental change, a vote. That is what we wanted, a vote.

Now, a fundamental change .. -- A vote in a single government of the country.

After a national convention? -- Well, a national convention is the method that we propose from the side of the UDF. Obviously other people might have thought of a better method. That is what we thought best for us in the UDF, and we put that as the best method. 20

So when you say that the Government must change its attitude, then it must change in this respect that it must agree to a national convention? -- We sought to persuade the Government to agree to that.

And that is what you mean by "change its attitude"? -- Yes.

Would you go to the next one please? -- It seems 30

Fortunately/...

fortuntaely we have finished the resolutions.

Mr Molefe, under this drive to get the country - I put it to you, to get a country isolated from its friends, as you put it, part of that was also isolated in the field of sport, in the field of the economy and in the field of the agriculture - culture? -- I think on the issue of sport that is what counsel is putting to me, is correct, but in respect of the others, no. That was not discussed specifically by the UDF.

Now, in the field of culture? -- I think in the field 10
of culture ..

COURT: You said culture, not agriculture?

MR JACOBS: Actually it was culture, the second time I corrected myself and said "culture". -- I cannot recall a discussion on that and any resolution on that, but I know of one instance that concerned really an affair, some kind of an event that was to take place at Sun City in Bophuthatswana. It was an event, I think ..

ASSESSOR (MR KRUGEL): Boxing or something? -- No, it was a musical event, it related to singers coming to South Africa 20
and so on, to Bophuthatswana, Sun City, and there was a report by the national publicity secretary that he had written a letter of support to Paul Newman and I think Arthur Ashe and so on.

MR JACOBS: And do you know of any other - UDF taking a stand on any other artist coming to this country from overseas to perform here? -- I cannot remember.

And what was the general policy of the UDF on this? -- I cannot recall any policy taken in that respect, but ..

In respect of culture? -- I cannot remember a specific 30
policy/...

policy.

A cultural boycott? -- I cannot remember a specific policy on that.

Mr Molefe, when you discussed this with the other countries, with America and England and I suppose the other country was Israel, is that correct? -- We did not meet with Israel.

Not meet but that was the three countries mentioned by you or perceived by you when you took on this resolution? -- Yes.

10

Now, did you tell the political representatives of these countries, did you tell them all your minimum demands for a national convention? -- I think we might well have discussed that.

Do you know or not? -- I cannot remember specifically. We might have discussed that we believed the national convention is the best way of resolving that, but I do not know if we discussed fully all the demands, but the three which I have said that are directly connected with the issue of conflict here, the release of political prisoners, the return of the exiles and the unbanning of those who are banned and the banned organisations, those were mentioned from time to time.

20

But it was not mentioned that the constitution must be suspended? -- Well, it was understood that once a national convention is held and it agrees on the principles upon which a new constitution has to be formulated, the existing one would have to go, so that that did not really become a fundamental issue to the question of national convention.

But was it explained to them that it is your minimum demand/...

30

demand that the constitution must be suspended before you even consider talking, as a minimum demand before you start talking? -- No, I do not accept that. In fact I dealt in my evidence yesterday with the issue of talking and the question of the national convention, and these were two different things. But anyway, the issue of constitution was mentioned insofar as we said that it was unacceptable, but we understood that once a national convention is held and principle are agreed upon for a new constitution, the old constitution would go. I cannot remember a specific 10 situation where I said the new constitution must be suspended.

Mr Molefe, if it is so logical that if there is a new constitution the old constitution must go, why was it then specifically stated by the UDF that one of their minimum demands, one of their immediate demands is the suspension of the Government - of the constitution? -- I think - I cannot recall everything now, but I think really what delegates sought to state there, to express was that, as at the time it would rather that you use the previous constitution 20 where you did not co-opt the Coloured and Indians into a tri-cameral parliament pending further negotiations for a better constitution.

THE COURT ADJOURNS TO 14h00