

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA

(TRANSVAALSE PROVINSIALE AFDELING)

AS

SAAKNOMMER: CC 482/85

PRETORIA

1987-08-20

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:

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COURT RESUMES ON 20 AUGUST 1987.

POPO SIMON MOLEFE, still under oath

FURTHER CROSS-EXAMINATION BY MR JACOBS : Mr Molefe, we were yesterday busy with EXHIBIT V6. Can you turn to page 14.

At the bottom of page 14 there is an indication there is going to be a next speaker and that will be Mr Nic Boraine. Instead of that unknown speaker, it must be Mr Nic Boraine. He was introduced by the Master of Ceremonies as Mr Nic Boraine? -- Are we looking at the bottom of the page?

Yes. The last two lines of the introduction. I will (10) read the last four lines. -- Are we looking at page 14

Yes.

COURT : It looks like it. I am sure that your copy has not been amended. No, it is in here. The portion where it has been written in just above "Unknown speaker", but on the right-hand side. The spelling is incorrect there. -- I see it.

MR JACOBS : "The next speaker is Mr Nic Boraine." Do you know Mr Nic Boraine? -- I do not know him.

Do you know if he belongs to any organisation? -- I do not know him. (20)

On page 15 Mr Nic Boraine says at the bottom half of that page. I will start reading from where the 27 is on the right-hand side. I do not know whether yours has got it? -- No, no, mine has got no 27 mark.

"The parallels with our own situation are obvious and frightening. It is becoming clear that our country is entering into a state of civil war. Ranged on the one side of that battle-field are the people of Sebokeng, Kathlehong, Tembisa, Tsakane, Soweto and many other townships around the country for protesting against the rent increases and the community (30) councils/...

councils that imposed them or it is the school children who sometimes heroically and sometimes desperately are putting up their lives on the line in the fight against Black education."

COURT : Bantu education.

MR JACOBS : There are people resisting deportations to the Bantustans and there are people resisting removal to Kaiialitsha. There are the Namibian people who have long opposed the occupation of their country with whatever means at their disposal." I put it to you, according to this, this also brings out the(10) character, the true character of the so-called freedom struggle. -- I do not know on whose behalf this person is talking. I do not know the passage.

He is talking on a UDF meeting stating that there are now battle-fields in this freedom struggle, which is now entering into a stage of civil war. Will you agree that Sebokeng, Kathlehong, Tembisa, Tsakane and Soweto are all places where there were violence? -- Of what stage are we talking about?

COURT : 26 November 1984. -- I was in detention. I have (20) got no personal knowledge of any violence in Soweto, Kathlehong, Tembisa, Tsakane. I had heard about Sebokeng before - the Vaal Triangle before my arrest, but I would not regard that as a situation of civil war and as I understand what the speaker is saying, he is not saying it is a civil war. He is predicting that it might develop into that. It may be moving into that kind of a situation.

MR JACOBS : And do you agree that the character of the Freedom Charter exposed here is that there were of violence, you know of one place Sebokeng? (30)

COURT/...

COURT : I am sorry, what is the question?

MR JACOBS : The character of the freedom struggle is to the effect that violence is part of it, because there was violence at least at Sebokeng? -- Well, I would not see that as the character of the freedom struggle. It depends on what one is talking about. In our organisation we are committed to a non-violent struggle. One cannot dispute the fact that sometimes violence breaks out in the townships, may be because certain people are attacking properties or cars and they attempt to suppress what certain people are doing there (10) resulting in violence even of a greater scale, but I do not accept that the affiliates of the UDF or the UDF organised that violence. I do not accept that.

Is it not so that you popularise the people around issues and you get them together that violence must erupt eventually? -- That is not a logical consequence. Where I have been part of organisations for a long time, we have organised for many, many years, we never organised violence.

MR BIZOS : The reading after the townships are mentioned, has it been corrected "around the country for protesting" or (20) "who are protesting"?

COURT : "For protesting."

MR BIZOS : I have a note that it is "who are".

COURT : There is no correction on my copy. There is a correction though a little before this quotation "The power wells of our own situation" has been amended.

MR BIZOS : Yes "The parallels."

COURT : There is no amendment as far as the rest of the page is concerned.

MR BIZOS : Insofar as it may make a difference. I do not (30)

know/...

know who put it on mine. I wanted to know if it is an official amendment.

COURT : No, it is an internal amendment.

MR JACOBS : I would like to go to a new exhibit now. EXHIBIT V11. That is the transcript of EXHIBIT 11 of the AZASO 1984 Annual Congress Womens' Meeting Orlando YMCA Hall, Soweto.

-- I see that.

I would like you firstly to go to page 4. I see the speaker there is Kate Mboweni. Do you know Kate Mboweni? -- I know a person called Kate. I do not know if her surname (10) is Mboweni.

So, you cannot tell us whether the Kate that you referred to is the same one here? -- I cannot say.

The first paragraph starts there "The pain and the suffering in the struggle and let me give an illustration by birth. I like giving this illustration that in every birth there is blood, but the end result of the blood and the suffering is joy. It is life. That is how the struggle is. The struggle needs our sacrafice, needs our blood, so that the end result of that will be freedom." I put it to you (20) that on this meeting this person also indicated and brought it out quite clearly that in the freedom struggle the people must be prepared to bring sacrifices of blood. Do you agree to that? -- Well, I do not know what he had in mind, but I would understand it to mean one might well have to pay the supreme sacrifice. That would mean one might lose his or her life in the struggle.

That is also then the character of the freedom struggle before freedom can be achieved? -- That is what he is saying. In resistance against apartheid many people have died, who (30) had/...

had not taken up violent methods. That is all I can say. I do not understand it to mean that people must go and take up arms or must engage in a violent struggle.

But if somebody says "The struggle needs our sacrifice, needs our blood, so that the end result of that will be freedom", is not in the past, but it is for the future? -- I do not dispute that. All I am saying is that I understand this person to be saying that there is a possibility that people would die in the course of struggle. They must understand that - and accept the consequences. I do not understand(10) it to be saying that the people themselves must adopt violent methods of struggle. It sounds rather too figurative this statement.

And I put it to you that this was an AZASO meeting, the annual congress arranged by them and that this message was brought mostly to the young people on that meeting? -- I believe we are talking about university students?

Young people? -- I cannot dispute that. I was not there, but I believe it was an AZASO congress.

Do you know who Benedicta Namana is? -- She is a member(20) of FETRO.

COURT : A member? -- I think she was a member of AZASO at this stage.

Benedicta sounds like a nun's name. -- She is not a nun.

MR JACOBS : Do you know what position she held in AZASO? -- I do not know.

And in FETRO? -- I do not know.

I would like you firstly to go to page 5. I will start reading at page 4 just to get the sentence. "Tonight at this fourth annual conference of the Azanian Students Organisation(30)

we/...

we found ourselves a long way since the historic 1976 uprising during which students actively rejected the racists and inferior Bantu Education. 1976 proved a radical break with the past." Sorry "1976 proved a radical break with the past. Our struggle was changed qualitatively in a short time the peace that the apartheid system - that the apartheid regime had (inaudible) was gone, hopefully not to come back." Just pause there for a minute. I put it to you that what is clear to the people at this meeting is a wish - let me put it this way, that there was for the 1976 uprising - there was peace(10) in this country under the rule of this government for a short period. -- I do not understand what is being put to me.

That according to this passage - do you agree to it that according to this passage it is clear that there was a short time of peace in this country just before the 1976 uprisings? -- I do not understand it in that context. I understand it to mean that there was no opposition to apartheid policies prior to 1976, but from 1976 it intensified or if it had been, it was of a fairly low - was at a low level and from 1976 there was much overt opposition to the policies of apartheid. (20)

But it is quite clearly stated here that the word peace is used? Is that correct? -- That is correct. I am interpreting this, the way I understand it.

And is it correct that she now says that after 1976 there was a change in this position? -- That is so. I think that must be understood in the context of the rejection of the racist and inferior Bantu education. That is why I say that I understand this peace really to refer to the fact that from 1976 onwards there was publicly expressed opposition or protest against the policies of apartheid. It does seem(30) like/...

like at this stage the speaker is really more concerned about the situation in education.

Is it not now clear that she wishes that there would not be any peace in this country after the 1976 riots?-- Well, in the context in which I have explained the first part I would understand this then to mean that that opposition to the inferior system of education, apartheid education should not stop.

And furthermore I put it to you that this person could not hope, the contrary to, peace not coming back, she (10) cannot be hopeful here to have violence and bloodshed from the side of the government? -- I do not understand what is being put to me.

Her hope that no peace must come back, that cannot be for violence, hope for violence or hope for bloodshed from the side of the government? -- In my view she is not hoping for bloodshed from any side, because I do not think that anybody would derive any pleasure in any bloodshed. All I understand it to mean is that the resistance to the continued imposition of inferior education should not stop. (20)

COURT : Mr Jacobs, how do we know what was left out in the inaudible portion?

MR JACOBS : Well, we do not know that.

COURT : Well, if that was a very long portion, then hopefully may deal with that and not for the peace?

MR JACOBS : I want to go to the bottom part there. There is also an inaudible part and then "Acceptance of our revolutionary problem, the Freedom Charter, being the only qualification of membership into this progressive democratic movement." There again we have got a reference to the (30)

revolutionary/...

revolutionary problem and the Freedom Charter. Do you know what is referred to here in this regard? -- I was not present at that meeting. What is left out I cannot explain. I do not know.

But on page 6 the same person said again at the bottom "And that change, genuine change shall be brought through revolution, through the total overthrow of the racist regime. This knowledge that the students so acquired must be made available to the masses of our people, making a case for students to lock themselves into read books. They should(10) now know that the final battle it is on the angle of the grim ugly day to day struggles on the factory floor and in the communities." I put it to you that she is clearly stating here that real change in South Africa and in the freedom struggle can only be achieved by revolution? -- Well, we have another inaudible before the change and before that new section starts and then she is talking about what counsel is putting to me.

What do you say to that? -- I do not know what she was referring to. (20)

It is quite clear that she said that real change will come through revolutions. Do you agree to that? -- Well, it seems like that sentence is connected with the part that has got an inaudible there. I do not know what it was. It may well be that our interpretation may be out of - counsel's interpretation may be out of context, but in any event, the speaker might have said revolutions. All I can say is that I understand those organisations to be non-violent organisations.

And this revolution must bring about a total overthrow(30)
of/...

of the racist regime. -- What page are we referring to now?

That is still on the same page, the next sentence. --
I cannot see how a student organisation can become a revolutionary organisation and overthrow a government by violence. That is all I can say. I do not know that organisation to be a violent organisation.

But is it not so that the student organisation, this student organisation is part of the UDF and it is the plan of the UDF that the masses must go forward and overthrow this government? -- That is not the plan of the UDF to over- (10)
throw the government.

And that the masses must be active in achieving a people's government? -- I think I have answered that question many times.

Is that part of it? -- I have answered that question.

So, you refuse to answer? -- (No reply)

And this overthrow of the racist regime goes hand in hand with the destruction of apartheid? It has all the same meaning? -- Well, all I can say is that the UDF is a non-violent organisation. That is its policy. What the speaker might have had in mind is not representative of the policy (20)
of the UDF.

Do you know did the UDF take any steps to repudiate -
to have this organisation rejected out of the UDF because they were going and speaking against the policy of the UDF?
-- We have never heard them speaking against the policy -
I have never heard them speaking against the policy of the UDF and in fact, even this video, I do not know it. I saw it for the first time in this court.

Mrs Albertina Sisulu was on this meeting and she is one of the presidents of the UDF? -- Well, I believe she was (30)

there/...

there.

I suppose she must have stood up or said something to the audience that that is not the policy of the UDF? -- Well, I do not know if she said anything.

Would you have expected her to do that if she was there as a UDF president? -- I believe if anybody had said anything that purported to be the policy of the UDF she would have said so.

Do you expect her to report back to the executive of the UDF on what happened that the AZASO people are propa-(10)gating revolution and violence? -- I believe she would have done so. I think if she was at this meeting, she understood this not to mean any violence, because she knows these organisations. She herself is involved in a peaceful struggle. She has been in that struggle for many, many years.

Again on page 10, it starts on the previous page that it is again Kate Mboweni who is speaking and then on page 10 she called for the singing of a song.

COURT : Let us just get clarity. As far as this Kate Mboweni is concerned my recollection is that it was not proved that(20) it was Kate Mboweni and I think it might be safer to refer to her as a person who is on the record or on the transcript indicated as Kate Mboweni, but not necessarily is Kate Mboweni.

MR JACOBS : I will refer to her, with the Court's permission, to a person who seems to be the Master of Ceremonies on this meeting.

COURT : You can refer to her as a person alleged to be Kate Mboweni.

MR JACOBS : On page 9 the person alleged to be Kate Mboweni is introducing Albertina Sisulu as the next speaker and she(30)

concludes/...

concludes on the next page on page 10 "She has continued to actively participate in the struggle for liberation and as we know now that she is one of the presidents of the United Democratic Front, can we raise her by a good revolutionary song, comrades?" -- But, I think in the first place she is being introduced really as one of the prominent leaders of the Federation of South African Women and I get the impression that she was invited to speak there in her capacity as leader of that organisation.

There it stands quite clearly, she had continued to (10) actively participate in the struggle for liberation and as we know now that she is one of the presidents of the United Democratic Front. It is quite plainly made clear to the people on that meeting that she is the president of the South African - of the United Democratic Front? -- I see that. All that I am saying is that the first consideration is the organisation of women.

And it said clearly also that "Could we raise her by a good revolutionary song" and the song that follows is "Come with the guns, there is a gun, come with the guns." (20)

I put it to you that this is contradictory to your version that the songs are only sung for the sheer joy of singing? -- I still stick to my explanation in my evidence-in-chief. in respect of the songs.

And it is sung about violence in a revolution? -- Well, I do not think songs can be taken literally, because I do not know what - if this song is really saying people must be violent. It is talking about the gun, but people normally sing without worrying what each word in the song mean. I myself have indicated in my evidence-in-chief how I had (30)

been/...

been singing some of these songs, talking of guns, gunfire on the mountain and so on.

Yes, but this is specifically identified as a revolutionary song and a song about guns, is a weapon in violence. That is my question to you. -- Well, it may well be that this person chose to use the word revolutionary. If one looks at this document it seems as if the word revolutionary is just used loosely by the speaker. That is why I do not attach any violent meaning to the word in the context of these organisations. (10)

Do you say if a person says that real change in this country will only come through revolutions, that that is just talking loosely about a revolution? -- Well, it depends on who that person is. If the ANC or Mkhonto we Sizwe or the PAC is talking about revolution, we know that they mean revolution in the context in which they are conducting their own struggle, but if Bishop Tutu or of Allan Boesak or Mrs Sisule talks about the revolution, I would understand it differently and if she is using that to refer to what she is involved in, I would understand it to mean simply fundamental changes, not violent method of struggle. (20)

I would like you to go to page 15 and read from the speech of Mrs Sisulu at the top. "Now we become one of the standard pillars of the revolutionary efforts. It will be your task to organise and mobilise not only you, but all freedom loving people in this country" and then "Audience applause". "It has become important in our struggle that all people of genuine consent should have a firm organisational base." -- I have not found the paragraph where counsel is reading. (30)

COURT/...

COURT : Right at the top of page 15.

MR JACOBS : And I put it to you that even Mrs Sisulu is propagating the revolutionary efforts of all the people in the UDF to take part in a revolution against the government. -- I have not had the opportunity of reading this speech of Mrs Sisulu, in fact this transcript, but my impression is that when she is speaking here, she is more concerned about the activities of women, not about the broad activities of the UDF. I cannot even see a single part of this speech where she refers to the UDF. I see nothing of the UDF, but in (10) any event, in respect of the word that she has used there, revolutionary effort, my explanation still holds for that in respect of Mrs Sisulu.

Do you say that women are on their own and not part of the freedom struggle? -- I think they are part of the freedom struggle. All I am saying is that it does not follow that what she is saying here, she is really talking about the UDF. Because learned counsel is putting to me that she is referring to the UDF and there is no single word about the UDF here.

She as the president of UDF would not go against the (20) policies of the UDF? -- I do not see her going against any policy here.

I put it to you that what she is saying here is that part of the revolutionary effort is to mobilise all the people, not only the women, all the people in this country or as she called it freedom loving people. So, you are not correct when you say she is only talking about women matters and so on? -- What I am saying is that she is addressing herself to women and she is talking about the need for women to organise.

(30)

The/...

The next speaker I see here on page 15 is Amanda Kwadi. Do you know her? -- I know Amanda Kwadi.

Is she part of any organisation affiliated to UDF? -- She was a member of FETRO.

From where is she? -- Well, I have been in jail for a long time. I do not know where she is.

Do you know where she lives, where she is staying? -- In Soweto. She lived in Soweto.

On this meeting, I would like you to have a look at page 16. -- Before we go to that page, I just want to draw(10) the attention of the Honourable Court to the last part of the speech of Mrs Sisulu. I think it is shortly after the applause following "achieve freedom". Then she refers to - she talks about correct principles and throughout our history collective actions have always brought results and you as a youth organisation must take a pace from history why emphasis must lie on organising and mobilising. We must realise that organising for the sake of organising is fruitless and organising without a clear understanding of the existing conditions could in fact lead us to assist in reactionaries and then(20) she finishes her talk. The history of the struggle in which Mrs Sisulu has been involved in, has been a history of peaceful struggle and that is a fact that is known to everybody who knows Mrs Sisulu and I believe it is wellknown even to those youngsters. So that I think whatever she was saying there must be understood in the context in which she is looking at the past and she is satisfied that the kind of methods she had been employing is part of the organisations, have brought results.

The history of the struggle that you refer to, is that(30) also/...

also part of the struggle of the ANC? -- That is correct. As a lawful organisation in the fifties when she was involved and the Federation of South African Women.

And in the fifties, the ANC changed over to a violent struggle? -- Not in the fifties. It was banned in 1960, after that and she was not involved in that violent struggle. She is clearly not referring to that.

Was she not a member of the ANC Women's League or League of Women? -- She was. It was a lawful organisation.

And she was until it was banned in the sixties? -- I (10) believe so.

And it was banned only after it started changing over to violence? -- My recollection is that in fact the Women's League was never banned. I think they assumed that if the ANC was banned the Women's League would also be banned.

And the Women's League was part of the ANC? -- I believe so, but I believe it operated as an independent organisation.

The history is not only referring to the history of Mrs Sisulu, but it is the history of the whole ANC. The whole history includes herself and the ANC and also the violence (20) of the ANC? -- No, no, she has never been part of a violent struggle. She was part of a lawful organisation and she is talking about those activities in which she was involved as I understand it.

But she is not referring back to her own history of struggle. -- She is saying "we". So, I understand it to be that she was involved.

And it is not her own specific - not "my past" it is the collective past history of struggle? -- That is correct. I think if she was referring to the violence of the ANC (30)

she/...

she would be saying even now the methods that my organisation or the ANC is using is a good thing and you must support it. I understand it in a historical context. I cannot take this thing any further. I was not there when she spoke. I can only say what I understand it to mean.

Yes, but you brought this up and you said and you tried to interpret this that the Court must understand that it is only peaceful means? -- Well, counsel is also trying to interpret words here to mean that lawful organisations were actually not lawful and were violent organisations. That (10) is what counsel is doing and I come from a non-violent organisation. I can only give an interpretation the way I understand it and I cannot take - go beyond that. I did not even discuss the matter with the speaker who was there.

I just want to put it to you clearly that the past history includes violence and non-violence in the struggle, both of them and she referred the people to take an example from that, from violence and non-violence? -- I do not understand it in that way.

We were going to deal with what Amanda Kwadi was (20) saying. I think we will start to get the gist of it from the eighth line from the top, page 16. "Being forced through group areas act and what are we saying today that they have tried - the racist minority regime has tried all the means actually for centuries to co-opt their so-called Coloureds and Indians into their apartheid lager, to strengthen it, because they were aware in their way that the militancy and unity of the oppressed and the exploited masses is going to crush apartheid and its manifestations and it is thus important that today we look into the linkage of the general (30) sales/...

sales tax" and then it goes on with the sales tax. Even she is expressing a view contrary to your statement that it is not a violent struggle in saying that the militancy and the crushing of apartheid. That is referring to something more than just mere pickets and protest? -- I do not accept that. Militancy, we have very often spoken about the militancy of the workers.

COURT : We have not militancy, we have military. -- Mine is written military, yes.

MR JACOBS : I am sorry, it is military. In that order to (10) crush apartheid, brings out something more than just pickets or peaceful protest? -- Once military is used, it would put it in a different context, but I doubt if that is a proper - it is properly transcribed. May be we would have to go and listen to that part of the tape again. I know Amanda Kwadi not to be involved in any military struggle or violent struggle.

But this is not in the past. This is referring to what are the plans for the future? -- I would like to read it in the context of what she is saying before that and then attempt to see if one could situate any question of military (20) within what she is saying. I would like, with Your Lordship's permission, to start at page 15 where the speech starts. No, no, I will start with the last sentence on that paragraph. "My speech today is actually going to concentrate on the GST, the income tax, the high rentals, the linkage with the present constitution, but we want to know whether before that the oppressed masses have not actually been suppressed or included in whatever form or planning and consultation. For centuries the oppressed masses have been forced into homelands, especially the African people through influx control being (30) forced/...

forced from the areas through mass removals, being forced into the Bantustans settlement, squatter camps, being forced through group areas act and what are we saying today? We have tried the racist minority regime, has tried all the means actually for centuries to co-opt their so-called Coloureds and Indians into their apartheid lager, to strengthen it, because they were aware in their way that the military and unity of the oppressed and the exploited masses is going to crush apartheid and its manifestations and it is thus important that today we look into the linkage of the (10) general sales tax and the income tax and the plan of the racist regime. It is already said that we tried all the means, even the covert ones, like family planning. You all know that and that is not in our women's strata where we say that family planning protects the health and energy of women." Just reading up to that point, I do not see the link of the question of military with all these issues that the speaker is referring to. I would rather understand that word to be the militancy. All she is saying is that when all these things had been happening, there has been resis-(20) tance, there had been unity to oppose those things and I can only interpret that word that is written military to mean militance and unity and the crushing that she is talking about, to be in the context of really frustrating the efforts of the government, co-op the Coloureds and Indians into the tri-cameral parliament and to proceed with the whole question of influx control and removals and so on.

I am putting it to you, she is referring to all these other issues, call them issues, because she is trying to get the people there to unite and be part of the freedom (30) struggle/...

struggle in order to today, the day of her speech, they must be prepared to crush apartheid and there is nothing said about peaceful means? -- I still contend that this does not imply violence. I cannot take it beyond that.

I put it to you that not one of these speakers whose speeches we have dealt with, ever said that change must come through peaceful means. Nothing was explained. The only explanation given to the people in that audience has a connotation of violence? -- These are organisations which operate in those communities. They have been there for years. (10) They are known to be non-violent organisations. There is nothing that forces a person to repeatedly say that we are non-violent, save where one is accused of violence.

But can you then explain why is it always then explained to the people with a violent connotation? -- In the communities those communities, it is not understood as a violent connotation. A person who is on the other side, who does not understand what is happening in these communities may think so.

So, why is this violent connotation then always (20) repeated? That was my question? -- In terms of this transcript what section is counsel insisting that it is a violent connotation?

Well, in saying that we must crush apartheid and saying that to overthrow the government by revolutionary methods? All those that I have pointed out to you. I can repeat it to you. Firstly saying that they must be prepared to sacrifice in blood? -- I was speaking specifically in respect of Amanda Kwadi's speech.

But my question was not that. My question was why (30)

is/...

is it then always repeated in the communities that the violent part - and the violent part being stressed in the community? Why is it necessary? -- I do not understand it to be violence.

It is not violent for them to understand that they must make sacrifices or blood and life? -- I do not understand it to be violence in the sense that they are encouraged to take up, to engage, to adopt violent methods to achieve their goals.

Must they be prepared to give their lives and blood in order to achieve their freedom? -- That is normal political(10) language in the townships. Sometimes people talk like that to try and emphasise that the sacrifice that one has got to make in the struggle to end apartheid, may include a lot of suffering. It would mean going to jail, it may include losing your job. It may well in certain circumstances include one losing his land. I think that is all the speakers are trying to say. I understand it in that context and I have understood it like that throughout my history in respect of lawful organisations.

COURT : When you speak of normal political language when(20) referring to the meaning of certain words, do you speak of normal political language in the circles in which you move or normal political language in the whole of the township in all circles? -- In all circles.

If that is so, can you show us any document of circles other than those with which you are intimately connected which uses this language throughout or partly? -- I would have to look for that.

Because if it is normal political language, I would expect it in all the newspapers, in all the commercial publications(30) and/...

and in all the speeches by all the parties? -- I am not saying necessarily all the parties, but it is something that we would find said by a lot of organisations which had nothing to do with the UDF. I think I should be able to do that in the course of time.

MR JACOBS : I would like to go to the next exhibit. That will be EXHIBIT V12. We must just make sure. Firstly there was a V12 and then it was substituted by a thicker one. I do not know whether that one is available still, because it was divided in two halves. -- I have only got one part of it. (10)

I think it is best to go to the second half of this. It goes to page 59 and then it starts with the translation again after that on page 1. Just for the record to identify it, this is a transcript of the Huhudi - a meeting of the Huhudi Youth Organisation on 1 July 1984 and it is a transcript of EXHIBIT 12. It seems as if Mr Jomo is the interpreter here and Oupa Tekere Monareng is the speaker. It just refers to him as Oupa and Jomo.

COURT : Are we sure that it was Jomo and that it was Oupa or merely two people alleged to have been a Jomo and an (20) Oupa? I am not so sure that it was shown that it was in fact a Jomo and an Oupa - a specific Jomo and a specific Oupa.

MR JACOBS : On page 16 after his speech there is a person identified as Hoffman Galeng "Ek het ook gehoor. Ek dank vir Kameraad Oupa Tekere wat net gepraat het." That is the end of that speech. Do you know Oupa Tekere? Oupa Tekere Monareng? I suppose his full names are Oupa Tekere Monareng? -- I know him.

From where is he? -- From Soweto.

Is he attached to any organisation there? -- He was (30)

a/...

a member of the Soweto Youth Congress.

COURT : Is that the gentleman referred to yesterday? --
That is correct.

Whose speech you did not go along with entirely? --
That is so.

MR JACOBS : Is it also correct that this meeting, the Huhudi Youth Organisation meeting, that accused no. 20 attended that meeting? -- I did not know about that meeting. I saw this thing for the first time as a transcript.

But in the UDF, did you know that he attended meetings (10) in the Northern Cape? -- I cannot recall that.

Were you not part of the organisation for the Northern Cape and organising meetings there? -- No, I was not organising meetings there. I assisted in the organisation of one specific meeting and it is not this one. The other thing is, from time to time organisations would organise their own meetings independently and sometimes he would talk directly to members of the UDF without asking the office to send a speaker. They might have contacted him directly and then he just went.

I would like to refer you to this speech of Mr Monareng (20) on page 13. Let us start on page 13. -- The speech we assume is of Monareng. I do not know anything about it.

A person identified by the chairman on that meeting as Monareng, Oupa Tekere Monareng?

COURT : I do not think it refers to Monareng.

MR JACOBS : Oupa Tekere. It is the second half.

COURT : This whole bundle is rather awkward. The first part is a speech by the one person and the other one then translates it. I think it is from English translated into the vernacular. -- Is it the one that starts at page 3? (30)

At/...

At page 3, yes. Then there is a translation of both the English and the other language, whatever it may be, it may well be Tswana into Afrikaans. No, that is not correct. The English is left as it is and then the translation is brought into Afrikaans. So, you can follow it either in the original or you can follow it in the translation. Whatever you prefer. -- I would prefer the original.

Can you follow the original? -- I think we would be interested in the English section thereof.

MR JACOBS : The English is appearing in the second half (10) in the translated part, the English version is given there. -- I have got the section.

There in the middle it starts "Oupa. Even if we realise today that freedom is what we are prepared to die for." Then he goes on and then the next English version. "Oupa. We are actually going to die for ideas, but our fellow comrades and countrymen." So, there is again a clear indication given by this person Tekere that in the freedom struggle there will be death and people will be prepared to die for this freedom. That is the people on the side of the freedom(20) fighters. -- Well, I see no freedom fighters here.

We have cleared that matter up. Is it not so that there were only two choices. UDF also agreed on that. On the one side the government and the oppressors and on the other side the people fighting for freedom, the masses? -- Well, I thought counsel was putting to me what is written here.

Out of the context what I was reading to you, I put it to you that here again is a clear indication that in the freedom struggle it will be expected so and people must and they are going to die for freedom. -- I see that. (30)

And/...

And that again I put it to you, is a clear indication of the violent nature of the freedom struggle? -- I do not accept that for the reasons that I have stated.

So, why will the people then die for the freedom - in a freedom struggle and be prepared to do that, to be prepared to do that if it is not in a violent struggle? -- I have indicated earlier my understanding of that. I do not know if it is necessary to go over it again.

Is that your answer on this specific paragraph?

COURT : Well, you cannot ask him to explain what the writer(10) meant. You can put to the witness that in your interpretation it means this and that you will argue at the end of the case that there is a general pattern of his speech amounting to incitement to violence and if he wants to comment, he comments on it and if he does not want to comment, he is not required to comment on that. You must just give him an opportunity to comment on what you are going to argue so that at the end of the case it cannot be said that he was not informed of what your interpretation is. But it is no good to argue about it. (20)

WITNESS STANDS DOWN.

COURT ADJOURNS.

COURT RESUMES.

POPO SIMON MOLEFE, still under oath

FURTHER CROSS-EXAMINATION BY MR JACOBS : Mr Molefe, we are still busy with that Huhudi transcript, EXHIBIT V12 still at page 13. Huhudi is in Vryburg District. Is that correct? -- That is correct.

That is in the country? -- It is a fairly small town, yes, in the Northern Cape.

I suppose they are not there so conversant with the (30)
political/...

political terms used by the UDF as in Soweto and in the bigger places here? -- That has not been my impression when I went there.

I beg your pardon? -- That is not the impression I formed when I was there.

When were you in Vryburg? -- I think some time in 1984. I cannot remember specifically when.

What were you going there? -- Well, I was meeting with the interim committee.

Interim committee of what? -- Of the Northern Cape. (10) They were planning door to door million signature work. I was going to participate with them in that door to door collection of signatures.

Did you do that? -- I did, yes.

Only in the township or where? -- I went to the Coloured township called Coleridge and also in the African township.

How many people did you visit? -- Did I visit?

Yes? -- I had gone specifically to meet the committee. I think the question is too demanding. I cannot say, but I met the priest who was the acting chairman at the time. I (20) think he was Reverend - I have now forgotten the name. Any way, the man who was the chairman, the first chairman of the regional committee and then the other one was William. He is a Coloured person.

Who was the chairman of the interim committee? -- At that stage it was this Coloured priest. I have forgotten his name. I think later on came Hoffman Galeng.

And Jomo? -- He was the secretary of that committee.

You only met the committee members and so on. So, you did not meet the public at large there? You did not (30)

speak /...

speak to the public at large? -- There were people there who were collecting signatures. Members of the organisations there. They were also there.

When you say the members of the organisations, do you mean the executives of the organisations? -- No, ordinary members and other people who were not members of the organisation. Before we went into the field of collecting signatures, we had to meet to discuss our approach on the issue of the million signature. How we have to conduct ourselves when we talk to people in their homes. (10)

Is that what is called activists, who must collect the signatures? -- I would not say they were activists. It was the activists plus ordinary people there in the township.

How big a working force did you have there? -- I think we were about 150 people.

Speaking to 150 people, how can you decide on the political awareness of the people in general? -- Well, it is a very difficult thing, but one can only talk about his perception arising out of the people he is talking to. The ordinary people one is talking to. If I am talking to an ordinary (20) worker who has not gone beyond St. 2 and he understands certain things, one can attempt to use that and arrive at a fair assessment of how other people in the same category would look at things. I agree that it is not a very scientific method, but I can only talk about the group that I spoke to.

But you cannot talk about the masses as a whole? -- I cannot. I do not live in that area.

To go further on with this I want to read from page 13. The last part was "We are actually going to die for ideas, (30)

but/...

but our fellow comrades and countrymen" and then the next part "It is why it is important that all the youths, the students and workers should always think" and then it is inaudible, but then you get the translation of that by the person Jomo "Moet altyd dink oor die Freedom Charter." It seems as if the inaudible part there is the Freedom Charter. "Should always think about the Freedom Charter. Not only think but to put all the ideas into practice." Then we go to page 15. "Perhaps by talking to people, they have to realise that even people should fight for their rights and that is the (10) important message for today." I put it to you that according to this part that I have read now, that it was also important - an important part of this meeting to propagate the Freedom Charter to the people in Vryburg? -- Well, it seems like they were talking about the Freedom Charter, if we assume that that inaudible is really the Freedom Charter that we see in the translated version, Afrikaans version. I do not know the real purpose of that meeting. I cannot testify about that.

And it is also stressed here that that is an important (20) message for the day, that the people must fight for their rights and those are the rights envisaged in the Freedom Charter? -- I do not know whether that important is limited to the Freedom Charter only. I do not know.

COURT : Is there a day called the Freedom Charter Day? And is that roundabout 1 July? -- No, no, I know that the Freedom Charter was adopted on - I read that it was adopted on, somewhere between the 26th and the 25th of June.

That is near enough. I say this because on page 18 in the translation it says "Hierdie groot dag, die Freedom (30) Charter/...

Charter dag". So, it would appear as if this is a commemorative service for the Freedom Charter. I am not sure. -- It seems so. I do not know either.

MR JACOBS : And I put it further to you that the big message brought by this speaker was to the effect that the people of Vryburg must also participate in the freedom struggle and they must fight for the ideas of the freedom charter and they must be prepared to die in the fight for the ideas of the freedom charter? -- I do not know if he is talking in that context. There is a section where he is talking about (10) "we are actually going to die for ideas, but our fellow comrades and countrymen", it really sounds an inconclusive statement. It does say that we are actually going to die for ideas, but I think that is a kind of a thing that people will normally hear when even listening to Christians. They talk about dying for the name of Jesus Christ and so on. It does not suggest that they would carry weapons to kill those people who do not accept Christianity.

Then on page 16 it seems that after this person finished, this Hoffman Galeng is the person who spoke then. (20) I have already read where he referred to "Kameraad Oupa Tekere wat net gepraat het." Then I want to refer to the next portion of his address to the meeting there. "Ek wens dat julle hierdie boodskap sal vat en dit toepas. Ek maak 'n ernstige beroep. Dit is ons gewoonte hier in Huhudi as ons vergaderings hou in meeste van die tyd is dit deur HUCA of UDF gehou. As dit deur HUCA of UDF gehou word, dat die polisie hulself beskikbaar maak." Did you understand the Afrikaans of this? -- Yes, I did understand that.

He is also asking the people to take note of this (30)

message/...

message from the person Tekere and that they must carry that message out? -- I understand that and he is also saying that we know that when we call meetings that the police are always present.

On that same page I would like also to refer again to the importance of freedom songs. Just after the Amandla in the middle of the page. "Jong mense kom ek doen so. As julle vandag 'n lied begin, wil ek hê julle moet wys dat hierdie 'n dag is vir die jeug en mense is wat van Suid-Afrika hou wat glo dat die Swartpersoon behoort vry te wees. As jy sing (10) wys dit duidelik dat jy vryheid verlang. Moenie dink wanneer kom daardie tyd. Die tyd is nou. Dit is jou tyd. That is your time. Soos ek praat sal ek Kameraad Tshidiso roep." Then he is going on with what Tshidiso is going to say. So, it is not just for the love of singing that the people sang the freedom songs, but it is for a purpose to associate themselves with the freedom struggle and freedom? -- Well, I do not understand it in that context. I understand this person to be really saying that we should sing this song with vigour, we must show liveliness, we must not be like (20) we are tired and so on. I think in a meeting situation where the majority of the people just sit there, not participating doing anything, sometimes they tend to sleep during the course of the meeting and singing is one way of awaking them from that sleep and it gives them a better concentration after they had sung one song.

"As jy sing, wys dit duidelik dat jy vryheid verlang. Moenie dink wanneer kom daardie tyd. Die tyd is nou." That is just to wake up the people so that they can be fresh again. -- That is how I understand it. (30)

I/...

I would like then to go to page 40 in the same part. To get it in perspective, I will start to read from page 39. "Hier word vyf van vier mense gekies. Dan word hulle gesê om te hardloop. Die eerste neem die aflosstok en hardloop en as hy moeg is, dan neem die tweede een die aflosstok en hardloop ook. Dan neem die derde een oor tot die laaste een en as die laaste een voor almal kom, dan het hy nie vir homself gewen nie, hy wen vir die hele span. Nelson Mandela hulle het die aflosstok. Hulle het die aflosstok die hele tyd soos julle my verduideliking gehoor het. Hulle hardloop(10) nog steeds. Hulle hardloop nie vir hulself om hulle mense bekend te maak nie of beroemd te maak nie, hulle hardloop vir ons almal." Then it is Amandla Ngawethu. "As Nelson Mandela die eindpunt bereik, ons weet almal dat hy veg nie vir onself nie, maar vir almal en derhalwe moet ons onself eendrag maak en weet dat hy namens almal van ons hardloop en moet weet dat elkeen wat gearresteer is hardloop nie net vir homself nie, dit is hoekom ons sê almal moet onder hierdie waarhede kom van die Freedom Charter. Hulle moet onder hierdie sambreel kom van die UDF, want ons hardloop nie vir onself(20) nie, ons hardloop nie namens onself nie. Ons wil nie n persoon wat hardloop en sê dit is net hy alleen. Ons moet almal een wees, eendrag, want as ons een is, dan is ons sterk. Een man wees." This is part of the speech of Aubrey Mokoena as seen from page 36. I am putting it to you that the message given by Mr Mokoena here is clearly to the people firstly that they must be part of the UDF and the fight for the freedom charter? -- Well, that is what is coming across in that, but I think it is also important to note what the speaker has got to say at page 38. That is if it is (30) correctly/...

K852 correctly transcribed. I think it is the last but one paragraph from the bottom. He has got this to say "En nou kame-
rade, broers en susters, ek sal baie kort wees, want my broers
wat eers gepraat het in die vertoning deur die kinders" then
there is something that is not transcribed, is nie om vir
julle te sê wat gebeur het nie. Julle ken ons lewe. Daar
is niks nuuts wat ek julle kan sê nie omtrent, wat ek julle
kan sê nie, omtrent. Broers oor wat ons hier vergader, ons
het nie hier bymekaar gekom om oorlog te maak, maar ons onthou
die laaste 29 jaar." I think that is also important to (10)
understand the context in which the speaker is using the
words "fight" and so on.

And is it also clear from this that he is referring
to the gathering there, that they were not there at that
gathering for the purpose of war? -- To make war.

On that gathering. -- The meeting is not made for the
purpose of making war. The speeches that are made there,
are not for the purpose of encouraging war. They are merely
there to remember what happened in the passed 29 years.

I put it to you that there is no indication in this (20)
that it is about the speeches, but it is a question of indi-
cating that at that moment there would not be any "oorlog"?
-- I do not accept that proposition. It is clear to me
that the speaker is saying that our purpose is not to make
war and I know Aubrey Mokoena is a committed Christian.
I have got no reason to believe that he is the kind of man
who could encourage violence.

The second point that I want to make to you is that the
message that is conveyed to the people of Huhudi is that
the UDF is also subscribing to the Freedom Charter. -- (30)

In/...

In a sense it is a bit confused. One might understand it to be like that, but Aubrey Mokoena knows very well that the UDF did not subscribe to the Freedom Charter. I think it is just - he is just failing to articulate clearly what he wants to put across or may be the tape did not take every word that he said.

And I put it further to you that he was giving his speech on a day on a meeting that was especially called for the popularisation of the Freedom Charter? -- Well, reading from the section that His Lordship drew our attention to, it (10) does appear as if the meeting was called to remember the Freedom Charter. I have got no personal knowledge of that.

And then the same speaker goes on to the next page. I would like to refer you to page 41 the third paragraph from the top. "En wat is u regering se antwoord in hierdie verband en P.W. Botha en heen en weer gekyk? Ja, ek het gehoor van die beroep, maar my regering 'is going to ignore that call'. Ons antwoord is dit dat as u mnr. P.W. Botha, as u nie op hierdie oproep reageer nie 'you are going to ignore the call'. Moet goed weet dat 'you are doing it at your (20) own peril,' want u mnr. Botha het n swak geheue, u vergeet gou." I put it to you that what is referred to here is the demands on the release of the political prisoners? -- To accept that proposition, to deal or to respond to that proposition may be I will have to read the whole thing in context because I did not have the opportunity to read this. May Your Lordship allow me time to read it?

COURT : Yes. -- (Witness reads passage) I think it is made in the context of the call for the release of political prisoners. (30)

MR JACOBS/...

MR JACOBS : The second point, on the demand for scrapping the constitution. In actual fact, it all boils down to a demand for a national convention? -- I do not see that. I have not read that part.

Then we can also say that it is on the demand for the new dispensation? -- I do not see that part.

So, if the government is not prepared to accept the demand to release political prisoners, then there is peril for the government in that. Is that correct? -- Well, that is what the speaker is saying. I do not know what he had in mind. (10) But one can only say that Aubrey Mokoena would not be having in mind the violence in which he is involved or in which he is encouraging other people to be involved.

But the message to the people of Huhudi is clear that then there will be peril for the government? -- Well, I think whatever is said here must be understood in the context of what he said earlier on. There must be a balance where he says we are not making war.

That is why I am also putting it to you that what you referred to before, only referred to that specific day and (20) the message that he brought is quite different to that. -- Possibly the answer is also contained from the last paragraph on page 41. It may well continue to page 42. I seem to understand him to be saying that the South African government advised the government of Mr Ian Smith to talk, to negotiate with the people of Zimbabwe to solve their problems and I think he is also saying that negotiations would bring about a solution to the problems here.

I put it to you then further that on page 42 because the government is not prepared to negotiate for a national (30) convention/...

convention, then the following is stated "Nou daar gaan hier geen vrede wees broers sonder dat en totdat Mandela vrygelaat word en al die ander gevangenes, totdat hierdie manne en vroue teruggekeer het van Botswana en Lesotho om te sê hoe hulle voel en sê hoe h grondwet hulle verlang. Hoeke regering. Tot daardie tyd gaan daar geen vrede hier wees nie. P.W. Botha kan hardloop na Nkomati, na Swaziland, hy kan na Botswana hardloop, hy kan orals gaan, hy sal niks bereik. As hy nie vir Mandela vrylaat speel hy. Dit is die rede hoekom P.W. Botha hardloop en vlieg om hierdie vrot ding, (10) die apartheid verkoop. Hy gaan verkoop hierdie stink goed daar." So, the message is brought clearly that there - and also to the people in Vryburg the message is clear, that there will be no peace? -- Yes, but when you go down, after the Amandla Ngawethu, then he says "Nelson Mandela gaan kom. Maak nie saak hoe nie. Ons wie se broer ons is, glo dat hy sal kom. Toe die boere moeilikheid met ANC kry, was dit nie ons skuld nie. Hulle weet hoekom. Ons is nie ANC of Kommuniste nie en ook ons het nie met ANC enige moeilikheid nie. Ons ken nie Kommunisme. Wat ons wel ken is apartheid. (20) In Kort Nelson Mandela behoort vrygelaat te word." My understanding of that statement is that the writer is really - the speaker here is really saying that he is expressing a hope, he is giving a message of hope that one day Nelson Mandela will be released and he is saying when the government had problems with the ANC it was their problems, it is not our problem. We are not ANC. We are not communists. We have got no problem with the ANC. We do not know communism. All we know is apartheid and Nelson Mandela must be freed. That is all the speaker is saying. My respectful submission (30) would/...

would then be that this does not promote any violence. At best the speaker is distancing himself from the problems within the government and the ANC and communism.

Yes, that may be in regard to the paragraph read by you now, but what I put to you is that he was putting the present stage in the freedom struggle and he was telling the people that if the government does not agree to the demands of the UDF, then there will be no peace? -- Well, I do not dispute that statement. What I do not accept is that he means that people must be encouraged to be involved in violent activities or to support the ANC or anything. He is not saying that. (10)

And then we go to page 44, there accused no. 20 was introduced to the people on that meeting. It was done again by Hoffman Galeng. Was Hoffman Galeng at the launch of the UDF? -- I cannot be certain. He might well have been there. I am not sure.

The third paragraph. To understand it better we start from the top "Ek sal kortliks kameraad Jomo roep om n paar boodskappe te maak en in kort tyd. Ek vra dat hy dit gou(20) doen, want baie van ons het nog nooit kameraad Terror gehoor praat nie. Ek is ook dankbaar dat hy hierheen gekom het vandag, die naaste tyd en nou nog. P.W. Botha huil dag en nag dat hy sy mond wil toemaak. Nou voor hulle dit doen weet ons - wat ons weet hulle gaan doen, laat ons hom hoor praat. Laat ons hoor hoe praat die man. As hulle hom in die huis inperk en sê hy moenie gesien word nie, moet ons weet vloek hy of sê hy daardie mens moet met petrol aan die brand gesteek word. Ek wil hê jy moet met jou eie ore hoor. Ek praat die hele waarheid." This is also a clear indication(30)

of/...

of the violent nature of the freedom struggle? -- No, no, that is not how I understand it.

COURT : Mr Jacobs, it may well be that the statement by Mr Botha attributed this statement to accused no. 20 and that this is a reply by the speaker who says well, let us hear for ourselves what is his view. You cannot read it into this paragraph.

MR JACOBS : It seems as if Mr Lekota started his speech on page 45 at the bottom. He started like this "Ek groet almal. Dit is belangrike groete. Ek sal julle daarop wys dat (10) vandag die laat middag is. Die son gaan onder vir die boere. Mōre is dit die volk se dag. Dit is ons dag, die dag van die volk. Dit sal vir ons opkom. Dit is al laat middag, want vandag die strydoorlog van vryheid wat ons met die boere veg vandat ons ontmoet het het vandag die derde stap bereik. Dit het gekom waar ons vandag met lewe en dood betaal." I put it to you that this message of accused no. 20 is a clear message that again the freedom struggle is a violent struggle? -- I do not accept the proposition.

And that the stage is reached now at that moment where (20) in the freedom struggle where the people pay in blood and life? -- Well, that seems to be what the speaker is saying, but I would say that the struggle for freedom, in the course of that struggle, people have lost their lives and it does not follow that when a person is talking about the loss of life, that he is promoting a violent struggle.

It seems as if he is referring to a third phase in the freedom struggle? -- Yes, he seems to be saying that.

"Toe ons in Kaapstad kom het ons die klere swart, geel gekies wat op ons rykdom wys, dat hierdie goud ons s'n is. (30)

Die/...

Die goud is die mooiste in die hele wêreld. Ons geel is vir die goud. Onder andere moet daar 'n swart kleur gekies word want die meerderheid van ons mense is Swart en derhalwe moet die kleur daar wees, want Afrika is 'n Swartkontinent, maar 'n derde kleur moet gekies word. 'n Rooi kleur, 'n kleur wat staan nie vir Kommunisme. 'n Kleur wat staan vir die bloed van ons mense, wat toe hulle ontmoet het vergiet is. Dit wys die rooi kleur is die bloed van ons mense. Dit is die prys van vryheid met bloed." This is a further indication that the price for freedom is - in the freedom struggle is blood? --(10) Well, I understand him to be dealing really with the situation in a historical context or showing that since the White people came onto this continent, there had been fight and people resisted domination and in the course of that, the people would die. I see here he is going back to the 1400's. I do not understand this to mean that he is calling on people to take up arms. He is dealing with a historical practice.

But is he also dealing with a symbolic value of the colours of the UDF? -- Yes, he is doing that.

And that symbolic value I put it to you is to show (20) that in the freedom struggle there must be a loss of life and blood shed? -- I think all he is saying is that people have lost their lives, that blood was shed because of the struggle for freedom and he is also saying yellow stands for gold, the wealth of the country, black stands for two things. Africa is a Black continent and the majority of the people in this country are Black. Those are really facts - historical facts. We cannot assume that because he is talking about Blacks, he means that Black people must drive all the Whites into the sea and that they must remain alone in South (30)

Africa/...

Africa and we cannot say because he says there is gold, he means that Black people must take that gold, nobody else must touch it. It must be for them. I think I can only summarise on these things the way I understand them and the way I understand my colleague in the UDF. Possibly he can come and explain much better what he intended with his speech.

Then on page 49 the fifth paragraph from the top. Can I just ask you one thing. Do you know the explanation that accused no. 20 has given on the colours of the UDF? Is (10) that the same explanation of the ANC? -- I do not know ...

(Mr Jacobs intervenes)

Of the colours in their flag? The gold and green in their flag? -- I do not know. I have never sat with the ANC to tell me how they explain their colours.

COURT : Do they have the same colours? -- I do not know. I do not know if they have adopted the colours of the UDF. I thought what we had been shown here was black, green and gold or something like that.

MR BIZOS : I think it is common cause that the ANC is black, green and gold. There is no red in it. (20)

MR JACOBS : Have you got page 49? -- I have got page 49. The fifth paragraph from the top. "Wat teen die regering baklei, veg met apartheid. Wat teen ons is, is bereid om vir apartheid dood te gaan, soos Mangopa. Is die vyand van die mense. Die vyand van die mense sal ons nie van kleur sien nie. U sal nie van hulle kan skei nie. Van hulle woon in mooi huise en ry mooi karre toos Mangope. Hulle is die groot vyande van Suid-Afrika. (Gehoor lag) P.W.. Botha is 'n groot tsotsi. Ons vra nie om die boere se regering oor te neem nie. Ons wil hê hierdie regering moet verdwyn. (30)

Ons/...

Ons wil n regering van mense. Hierdie tsotsi's moet saamgebring en gevra word wat is dit wat julle met die mense doen." There is also, I put it to you, a clear indication in this phrase that the enemy of the people and the people who collaborate with the government, they will also be killed in the freedom struggle? -- I would like to read the passage to understand. I cannot remember seeing any killing here. I would like to read the passage to understand in what context the speaker was using the word. (Witness reads passage) I have read the passage. I do not understand this to be advocating any (10) violence. It starts off with an explanation of what the speaker means when he talks about the people in the context of the South African situation and he says White people, Coloureds, Indians and Africans, all of them are the people and he says all of those people who are opposed to apartheid will be the people who form the government. When we talk about the people, we will be talking about all those people coming from those racial groups and then he is saying those who want to die for apartheid, are the enemies and I understand that to be the enemy in the political context in that (20) they are holding the views that are opposed to change and he is citing Mangope as an example. I do not understand it to advocate violence. My knowledge of the man is such that he would not advocate violence. I would be surprised if he were to do that.

Do you know that violence did eventually erupt in Vryburg? -- I have got no personal knowledge of that. I heard the evidence of some councillors from Vryburg. I think Bra Steve and I think Mr Diphule. Bra Steve was talking I think about some people who stoned the car or a shop. (30)

I/...

I cannot give the details, but I have got no personal knowledge of that.

Did you receive any official notification from the UDF branch in Vryburg of the violence that erupted in Huhudi? -- I cannot remember receiving any notification to that effect.

Do you know whether the UDF did anything about the violence in Huhudi? -- UDF National office?

Did it assist the people or anything like that? -- I cannot recall anything about that. I simply do not know.

The fact that the Freedom Charter was propagated on (10) this meeting in conjunction with the name of UDF purely indicates the insincerity of the UDF and the incorrectness of your evidence when you say that the UDF is not working for the implementation of the provisions of the Freedom Charter? -- I disagree with counsel. I think on the contrary, what it really shows there is the broadness of the UDF and the fact that those affiliates who are within the UDF are free to pursue their own programs and ideological positions. That much the UDF has said. If the Black Consciousness organisations want to talk about Black Consciousness in (20) the UDF or the Azanian Manifesto inside the UDF, the UDF would not stop them doing that. The Freedom Charter is not something that the Black people or people in our organisations are ashamed of. It is a lawful document. People talk freely about it. It has been distributed freely. The Courts have found that it was an acceptable document in the past.

I put it to you that that was only employed to try and get the Black Consciousness people to also join the UDF. That is why - and people in the White areas who were not (30)

going/...

going to support the Freedom Charter to ... -- In fact, what I can say to counsel is that it is those people in the White areas who are committed to the Freedom Charter even more the people in the Black areas.

All the people in the White areas? -- JORDAC is committed to the Freedom Charter, NUSAS is committed to the Freedom Charter, area committees of the UDF in the Western Cape, but when you go to the Black townships you find organisations which are not committed to the Freedom Charter. So, that it is - I think it is incorrect for counsel to put that propo-(10) sition.

You made a general statement on White people. Is it only certain White people that are prepared to go along with the UDF or do you refer to all the White people? -- I am talking about those who are in the UDF. I cannot talk about all the White people.

But what I put to you is that the UDF was trying and saying that they are not adopting the Freedom Charter, they were trying to get other people to join it, people who would not support the Freedom Charter? -- Partly that is the (20) reason. If you want to form a broad front of organisations, you go for something that is a compromised position, that would be acceptable to all those who want to be part of it. You do not go for something that would prevent organisations who want to join from joining and that would lead - that would repel those who are already in the organisation, to get them to leave the UDF. Partly it was the reason. I think in fact it was the fundamental reason, because we wanted to have a broad front and have a front committed to the Freedom Charter would have limited it to only those (30) who/...

who subscribed to the Freedom Charter.

And the UDF, although it said it was not adopting the Freedom Charter, was fully supporting any drive to propagate and to popularise the Freedom Charter? -- I think I have in the past made the statement that I regard the Freedom Charter as a significant document. I do not see the reason why we cannot support those who are commemorating its anniversary but I am again one of those people who resisted any attempt by the UDF to adopt the Freedom Charter. I think if counsel is referring to such statement, I have got no further comment. (10)

You are not answering my question. My question was that I put it to you that although the UDF said that they are not going to adopt the Freedom Charter, they support all the campaigns in favour of, that was launch in favour of popularising the Freedom Charter and the demands of the Freedom Charter? -- I do not know of a specific instance where the UDF supported campaigns to popularise the Freedom Charter. It might have been discussed in the UDF. I am not in a position to say so. All I can say is that it was generally known that those affiliates who were committed to the (20) Freedom Charter were prepared to talk about it freely. The UDF would not stand on their way. Just inasmuch as the UDF would not stop the Council of Unions of South Africa from talking about the Azanian Manifesto or Black Consciousness.

I would like to refer you now to EXHIBIT V15. This is a transcript of the video EXHIBIT 15 and it is a transcript of the meeting of the UDF Youth Rally, Pateder Hall, Lenasia on 28 July 1984. This rally, was it organised by the UDF? -- I do not think it was organised by the UDF. I think (30)

it/...

it was organised by youth organisations which were affiliated to the UDF. I do not know if they included others which were not affiliated to the UDF Transvaal, but it was, as I understood it, organised by affiliates affiliated to UDF Transvaal.

COURT : Was it under the banner of the UDF as you call it?

-- It seems so in the sense that they were using the UDF name.

My recollection is that I sat in one Transvaal Regional Executive Meeting where at the end of the meeting a report was made to the effect that youth organisations - we were notified that youth organisations were organising a rally(10) and I think my recollection is that the executive then asked, I think the report came from Deacon Mathe. Then he was asked to ask the organisers to give details. He was asking the executive to support the venture and then he was asked to give further details, but I do not know what transpired after that.

MR JACOBS : The decision to hold a UDF youth rally, was it taken by the UDF itself, the executive region and then the youth organisations asked to further organise it, to co-ordinate the organisation of such a meeting? -- That (20) is not my understanding. If I am given a chance, I may look through the S series, it would give a clear indication that it was not organised by the executive.

And furthermore, who paid for the rally? -- I do not know. I was not involved in that.

Can we start at page 7. Just to get the names at all the proper places. Deacon Mathe, you referred to him, was he - to which organisation did he belong? -- I think he was a member of the Saulsville - Atteridgeville/Saulsville Youth Organisation. He was also in the Regional Executive(30) Committee/...

Committee of the Transvaal UDF.

On page 7 I will start at the top there. "Deacon Mathe with UDF T-shirt. We ensure that it develops into the biggest that South Africa has ever witnessed. The struggles and the campaigns in the past year have (unpassed) the youth in the spirit of eternity to be in the front line. We should therefore join hands with other detachments of our struggling people to stop the regime and its puppets from their attacks. This demands that all patriots, Black and White, should stand up and be counted no rest to the enemy." According to (10) this paragraph, it is correct that the UDF campaigns did bring about the mobilisation of the people and did bring about the politicisation of the people that was envisaged by the campaigns and issues? -- Is that the interpretation based on what is read here?

Yes, that is a conclusion that I take out of this paragraph? -- Well, I do not know if that refers to the UDF. I do not know what the speaker had in mind.

It mobilised and politicised at least the youth to be in the front line? -- We do not see - the UDF does not see (20) the youth to have been in the front line. That is not the position of the UDF.

Will you say that the campaigns did have some effect on the youths? To be complete, the campaigns and the struggles? -- Well, in a sense youth groups were drawn into the UDF and it did have the effect in that sense. But I do not accept that what this person is saying here refers to the UDF, because I do not believe that he went there to represent the UDF. He may well be speaking about the activities of the organisation he belonged to, the youth (30) organisation/...

organisation.

Who is in the front line according to the UDF? In the front line of the struggle? -- Well, the UDF has got no body in the front line. It is a conglomeration of all sorts of organisations. All of them are acting together.

And would you say that according to the policy and beliefs of the UDF that it is the masses who must be in the front line of the struggle? -- I am not saying that.

Can you explain why is it then always propagated that the UDF worked towards the mobilisation, politicisation (10) and organisation of the masses so that they will be their own liberators? -- To recruit as many people as possible into organisations affiliates to strengthen the UDF. Secondly to ensure that the decisions that are taken within the UDF are the decisions that represent a broad view of the communities in which the affiliates are participating. Thirdly, to demonstrate the popular support that the UDF and its affiliates have, in order that those in authority must take serious what is said by these organisations or the UDF. (20)

So, it is what is said by the organisations or the UDF? Not by the masses? -- Well, I believe that the masses cannot act separately from the organisation. It is the believe of the UDF that people must be organised because it is when they are organised that their grievances can be channelled properly through an organisation and the actions they take can be planned actions.

On page 12 we have got the name of a person George Mthime as a speaker. Mine was changed where it starts "Unknown Black male" that the name is George Mthime. (30)

COURT/...

COURT : I am not sure that it was common cause that this was George Mthime.

MR JACOBS : I think this one was one of the admissions, but I am not sure. I can just check up on it and make sure.

MR BIZOS : There is no admission. There was an allegation that that was the person.

COURT : That is why I mention it, because I saw the brackets.

MR BIZOS : I think there was some agreement in relation to that. If there are square brackets then it is questionable at any rate. It is alleged, but there was no agreement.

COURT : I think you are quite right, except that my brackets were not very square.

MR JACOBS : Do you know George Mthime? -- I do not.

I would like to refer you to page 17 of his speech - of this person's speech. I start reading from the third line. "Now, the government has decided to come out openly to some Coloureds and Indians (lawfully) which in actual fact has been taking place as in the words of Charles Lloyd like presently as certain fellows of AP Command puts is. As again the Coloured system (inaudible) It is high time (20) the implementation of such kind of issue, the Coloured and Indian youth must get into the army (inaudible). Situation presently. It is for us African people to reconsider our stans, to judge ourselves as to whether our rejoicing as the Coloured and Indian people are going to get conscripted because this act is presently Namibia. It is taking place. These Coloureds (inaudible) conscriptive. Relevant to such aggression in 1960 the banning of the ANC was shown by the Coloured people's response, we said we want our movement to be alive. We have no other movement, but in the (30) nature/...

nature of our response we shall show by the people that it meant that the people are ANC and ANC is people." According to this and what the speaker is saying here, I put it to you that there is a clear indication that - of a clear connection between the ANC and he is conveying the people including the UDF? -- I do not accept that. Firstly this sentence, this long sentence that the counsel has just read to me it has got no tail or head. It does not make any sense. Secondly, this person who is speaking here, is not even known to us. We do not know who he is and the last (10) section that talks about the ANC, it seems to be - he seems to be talking about what the Coloured somewhere said when the ANC was banned in 1960. It may well be that it is those Coloured people who were saying we are the ANC and the ANC is the people. I cannot see how one can attempt to make any sense out of this kind of a paragraph.

This is a message given on this meeting of the UDF youth rally to the people? -- As of now, I cannot make any sense of this section. I may well have to read it later and then I can come and comment later. (20)

I would like you to go to page 20. According to page 20 there is a poem. It was recited with the name of Storm or with the heading "The Storm". Then I want to read from this the last paragraph "A bullet wound in the head, a bullet wound in his leg, a bullet wound in his back, another bullet wound in his leg. Bullets all over the body of the innocent African child. I hate what is happening. I do not feel what is happening. For a long time is chocolate time. There is no other struggle. There is nothing so painful. Our struggle is painful. Our struggle happens to be a (30) volcanic/...

vulcanic struggle of blood shed, for we died yesterday and we are dying today, but we shall live tomorrow and for ever." I put it to you that this also is an indication of the true - and the popularisation of the true nature of the struggle? -- Poets are people who have a very strange way of communicating. I find it difficult to attempt to take what this poet is saying literally, because the same poet who is talking about gun bullet and so on and so on, again says I hate what is happening. Then it goes on if one goes down to page 21 to say hope is love, hope is peace, hope is freedom, hope (10) is justice. One may argue that he is giving a message of hope and he is really calling for peace. He is talking about love and so on. I find it difficult. I think this cannot be taken literally.

Then we go to page 22. My exhibit has got the name of Cedrick Kekane. Who is Cedrick Kekane? -- I do not know him.

Is he not also a member of SAYO? -- I cannot assume that a person who is unknown to me is a member of an organisation. I do not know him. He starts his speech "Cedrick Kekane (20) speaker in green uniform starts with revolutionary greetings to you Nyabesabana." Can you tell us what is the meaning of the words - have yours been altered to that, just to make sure? -- I see at the bottom here it is written Nyabesabana and then it is translated to English "Are you scared of them."

At this meeting, the UDF rally for the youth, this person started his speech with, again with reference to revolutionary greetings. -- I have not accepted that it is a UDF rally for the youth. I do not know about that.

And then it goes on "Revolutionary greetings to you (30)

comrades/...

comrades and compatriots. Our rally today has come at a time when the history of our struggle is putting us at the stage where we are forced to move from the pasture of the defensive into the - from the defensive into the offensive. From time in memorial (inaudible) the resistance until today the enemy has despite the demands of the people decided to launch a constituted that is there to entrench apartheid and perpetrate a new system upon the people against their will." Let us stop there for a moment. There is again a repeat of the revolutionary greetings and I put it to you (10) again the freedom struggle is depicted here as a revolution by this? -- I do not know. My interpretation of other sections where the word revolution has been used stands.

And I put it to you further, we again get the idea or it is put here that there is a stage in this struggle that is reached at this moment in time and that is the stage where you move in this liberation struggle from the offensive - defensive to the offensive? -- Well, I do not know who this person is talking for, he is representing.

And I put it to you that that is the message brought (20) to the youngsters or the youth on that specific UDF meeting, UDF rally? -- I have not accepted that it is a UDF rally. COURT : Have you any idea what rally it was? -- Well, it is written a UDF Youth Rally, but at the time when I heard people talking about it, it was an independent initiative of youth organisations. I do not know if the UDF later decided to be party to that.

Which youth organisations were involved? -- We did not ask him. We assumed that those were the affiliates of the UDF. I cannot remember him mentioning names. (30)

MR JACOBS/...

MR JACOBS : Is it part of the UDF policy or is it a conviction of the UDF that the new constitution is an entrenchment of the apartheid system against the people and the will of the people? -- It has been the view of the UDF that the new constitution was entrenching apartheid.

So, this part what is said here is in line with the views in the UDF? -- And many people outside the UDF have said the same. It is not exclusively a UDF view.

And can we go to the bottom of the page the second last paragraph. "We are putting clearly to this enemy that we (10) are not negotiating any form of settlement within apartheid in the apartheid system." Is that also according to the convictions in the UDF? -- The speaker is not speaking for the UDF, but if I may say, the UDF did not want to be included in the tri-cameral parliament. It wanted an end to the system of apartheid and a non-racial order in its place.

So, is it expressing the policy and convictions of the UDF correctly what is stated here? -- Not the policy of the UDF. He is saying the things that are similar to what the UDF is saying. He might be expressing them differently (20) and the things that other people who have objected to the tri-cameral formation have said, AZAPO, the National Forum Committee, the Cape Action League, all those people have said that they will have no track with the tri-cameral parliament. He is not speaking for the UDF. He is not articulating the UDF policy.

And he is speaking on a really and I suppose which is said to be a UDF rally? -- Well, it is said to be, yes.

COURT : On what basis, Mr Jacobs, was it put on top of this document that it was the UDF youth rally? (30)

MR JACOBS/...

MR JACOBS : Can I just check on it. I did not think this would come up. It was never disputed when this was shown.

COURT : Very well, you can go into that in the luncheon adjournment.

WITNESS STANDS DOWN.

COURT ADJOURNS.

COURT RESUMES.

POPO SIMON MOLEFE, still under oath

FURTHER CROSS-EXAMINATION BY MR JACOBS : U Edele, net voor ek voortgaan met die kruisondervraging, ek dink ek wil net op bladsy 12 miskien dit net reg kry. Daar was onseker-(10) heid of George Mthime n geïdentifiseerde spreker was. Dit is nog altyd die bewysstuk waarmee ons besig is, V15 bladsy 12. IC.14 wie se getuienis loop vanaf bladsy 4 402 het hierdie persoon geïdentifiseer as George Mthime en dit verskyn op bladsy 4 409 van sy getuienis. Dit is volume 88 van die oorkonde. Waar sy getuienis verskyn waar hy die persoon identifiseer as George Mthime is 4 409 en sy getuienis begin op bladsy 4 402 en dan die volume is volume 88. Dan wil ek net miskien ook op rekord plaas, dit sal miskien help dat Cedrick Kekane, dit was erken in die erkennings (20) op bladsy 31 van AAS4 dat hy is - wat UDF Transvaal se algemene raadsvergaderings bygewoon het as die verteenwoordiger van Saulsville / Atteridgeville Youth Organisation. Met ander woorde, die verkorting is SAYO. Net om the Youth Rally miskien ook af te handel.

Mr Molefe, I am going to put to you that this specific youth - UDF youth rally, that it was a UDF youth rally and part of the anti-constitutional campaign of the UDF and in this regard I would like to refer you to EXHIBIT AL23. That is volume 2 of the AL series. This document was (30) found/...

found in the offices of the UDF Johannesburg. That is a document under the logo and letterhead of the UDF Regional Transvaal and it is dated 18 July 1984. The heading of this is "Anti-Constitutional campaign. List of meetings" and then on page 2 the heading under item 3 "Saturday, 28 July 1984. Event UDF Youth Rally. Organisers UDF Youth and Student Affiliates, inter alia Soweto Youth Congress, Lenasia Youth League, Benoni Students Movement, Benoni Youth League, Saulsville/Atteridgeville Youth Organisation, Mamelodi Youth organisation, MAYO Youth Movement, Alexandra Youth Congress, AZASO and COSAS. Venue Pateder Centre Lenasia. Time 2 pm. Speakers Firos Cachalia, Dan Motsitsi Lulu Johnson and Cedrick Kekane." Do you agree that this was a UDF Youth Rally part of the campaign, the Anti-Constitutional campaign? -- I understand it to have been organised by the affiliates of the UDF, yes.

COURT : I take it it was advertised as the UDF Youth Rally? -- I assume so. I am not sure about that.

Under what name would it have been advertised? -- Well, I believe it was advertised as that. All I am saying is (20) that I cannot remember what really happened. I was not there. I cannot remember the advertisement.

MNR. JACOBS : Ek kan ook net meld dit was ook getuienis in die hof dat die vergadering geïdentifiseer en oor getuig was deur dieselfde getuie IC.14 op bladsy 4 402 as 'n UDF Youth Rally.

I would like to continue on page 23 of EXHIBIT V15. Go on to the next paragraph. "We are not negotiating for any special deal, nor are we impressed by any form of resource. Comrades and compatriots, we are telling this enemy now (30) that/...

that we are determined as never before to work towards the destruction of this apartheid based constitution and instal the people's power where the people shall govern their own government based on their own will. (Audience applause)" I am now reading at the top of page 24. "Out of the total destruction of this apartheid based constitution and its government, we shall instal our own government where the people shall govern and we are there to see that and here, as we are gathered here, to fight for our own liberation and to work towards the total seizure of power. The present (10) condition and development at this stage of our revolution dictate upon the entire democratic and patriotic forces of our country to adapt our strategies and tactics to the prevailing material conditions presented by the enemy. To move from our own (inaudible) struggle, moving from the defensive onto the offensive. Young as we are, militant as we are, committed as we are, dedicated as we are and determined as we are, we shall through our organised militancy and organised resistance consolidate all the victories thusfar scored by the struggling people sustained unity of the masses under (20) the banner of the popular United Democratic Front and the proud tradition of combat and resistance of the oppressed. We the youth, we the young people of our land, Black and White, shall organise to take an unequivocal liberation or code of national responsibility to fight and win the struggle under the banner of our popular vanguard structures, lead by our own people through decades of process of bitter struggle against the change of perpetual slavery." I will first read up to there. I put it to you that this person is clearly identifying with the UDF and is putting here (30) also/...

also what is understood in the UDF and what is the aim of the UDF? -- I disagree. I accept the fact that he is saying that his organisation or he and the others want to struggle under the banner of the popular United Democratic Front, but I do not accept the use of words like combat and so on as part of the language of the UDF or policy of the UDF. I think what he is saying really is nonsense insofar as the policy of the UDF is concerned and this does not represent the policy of the UDF.

And I put it further to you that he was an approved (10) and appointed speaker by the UDF? -- Well, I do not know. My understanding is that this was organised by the UDF affiliates. Those youth organisations might have met and decided on the speakers. I have not been party to the discussions on that. I do not know.

And according to the exhibit that I have shown you, this other one, this AL23, there he is named as an approved speaker and a guest or an invited speaker on this meeting. -- I do not understand it to suggest that the UDF chose speakers for this meeting. When I look through this, I see it as (20) meetings really which were organised, whose purpose was to discuss constitutional proposals, to be organised by different groups, but the UDF got to know about those meetings and in respect of this one, it was organised by those affiliates of the UDF. I do not understand it to mean that the executive of the UDF knew the details of the arrangements and what was going to be said there, but I cannot talk of first-hand information because I do not know myself. But this is how I see it. I see it has got again here meetings of Transvaal Anti-PC, it has got meetings of Transvaal Indian Congress, (30) prayer/...

prayer services and so on. I do not think that the UDF was choosing speakers for all those meetings.

This is part of a whole program over a period. Not only for this single meeting? -- I think it was taking note of what was happening during that period and done by affiliates.

MR BIZOS : May I draw attention to page 3 where it appears that there was more than one organiser with the UDF. The UDF is specifically mentioned and the name of the other organiser.

COURT : Yes, but then on the other page you have at the top UDF Northern Transvaal affiliates. Is it the UDF and the (10) Northern Transvaal affiliates or is it the UDF Northern Transvaal affiliates?

MR BIZOS : That may be equivocal, but I submit that the item that is being debated item 3 on page 2 makes - is not equivocal. It is unequivocal that they were the affiliates that organised it.

COURT : What is the point, Mr Jacobs?

MR JACOBS : The point I am making is that this is an approved program starting from 18 July 1984 running until 12 August and if you will have a look at the note on page 4, there (20) it is said "The above is only a list of those meetings that have been confirmed. Furthermore, it only covers meetings being held between 18 July 1984 and 12 August 1984. Many other activities are being planned. Details of these will be made available in due course. -- This section does not tell us that it is the UDF that is planning all those meetings. All it is telling us is that the UDF is aware of these meetings, that these organisations or that these meetings are taking place and that other meetings - furthermore it will only cover meetings - yes, that is all one can say and I do not (30)

think/...

think the UDF for instance has power to decide that women could not for instance - it had the power to decide against say for instance the activities starting on 9 August 1984 and so on. These are things that are decided upon independently by those organisations. May be in the general council meeting they reported that they were having these activities coming and the secretary noted them. They were of specific interest to the UDF in the sense that they were related to the campaign against the constitutional proposals. I think that is all I can say. (10)

I put it further to you that according to this speech of this person it is clear that from the wording used in this, seizure and revolution and to go from the offensive to the defensive, all indicate that violence is a part of the liberation struggle? -- Well, it does seem like those things coupled with words like combat and so on. It implies that but that is not the policy of the UDF. I do not know what he had in mind. He was not speaking for the UDF.

And that is the message that was given on that meeting to the people on that meeting organised by all the named (20) affiliates of UDF." Do you agree to that? -- Well, I do not dispute that it seems like this speech was given there. I was not there. All I can say is that the UDF does not share the sentiments of combat and so on as the speaker seems to be saying. That is not representative of UDF policy.

MR BIZOS : Sorry to interrupt. Mr Lekota, accused no. 20, is not feeling well.

MR JACOBS : If this was said on a meeting under the auspices of the UDF, did the UDF take any special steps or any steps at all to rectify this matter? -- I do not know. I have (30)

seen/...

seen this thing for the first time here and it does appear that this is a matter that related to the affiliates of the UDF Transvaal. I do not know if the matter was taken up with the said person.

Firos Cachalia was a member of the UDF Executive of Transvaal, that was one of the speakers? -- That was not so.

Is he a UDF official or not? -- He is not. He has never been.

Dan Montsisi? -- Dan Montsisi was not at this stage.

COURT : He was not a speaker? -- He was not a UDF official. (10)

MR JACOBS : Can we go to page 25. -- I have got page 25.

The second paragraph "Well, in that posture, comrades, Comrade Nelson Mandela, Comrad Oliver Thambo, Comrad Goldberg, Comrad (inaudible) and other have also to appoint themselves to take off from where the old warriors and generals have left off. We have learnt from the history of our revolution and from the experience and history of other liberated countries in the world that the time comes in the life of every nation when there remains only two choices, submit or fight." When he refers here to "our revolution" and the struggle from (20) the past and with reference to Oliver Thambo, Comrad Goldberg and Nelson Mandela, I put it to you he is identifying the struggle, freedom struggle that is waged by you in the UDF with that of the ANC? -- Well, I reject the proposition. The UDF is not waging the struggle of the ANC in the sense of the methods that they are employing or the strategy they have adopted. However, the UDF is involved in the struggle against the apartheid. I think the speaker really goes beyond the names that counsel has picked on, because he starts right from what he calls leaders and all glorious (30) and/...

and generals, like Hindsa, Makana, Sekhukhuni, Dingaan, Shaka and so on. He talks about - he is really covering a long period of history. I do not think it is limited to these people.

And furthermore I put it to you he is again, we have got it here now, that he is pointing out to the people, the youth at that meeting, that there is only one choice. For or either against the government.-- I do not see that section.

Then I will read further "The time has now come to (10) South Africa. We shall submit and we have no choice but to hit back by all means in defence of our people, our future and our freedom. We shall under no circumstances allow the enemy to implement its apartheid based constitution as it pleases. As for the puppet purporting to divide the people and to serve on the tree racist parliament and all the existing puppet bodies, they undoubtedly shall face the wroth of the people." So, the choice that he is propagating on this meeting to the persons who attended this meeting is that they must be part and parcel of the side that is (20) fighting against the government? -- I see the section where he says we submit our fight and he says the time has come and we shall not submit, we have no choice but to hit back and so on. That is what he is saying. When I read this, to me it appears like an attempt on the part of this person to persuade those present at that meeting that they must begin to take the choice of fighting, the time to decide to fight has come. It does not come across to me as something that is a policy that was adopted by any organisation. He is expressing his own views. He is trying to impress upon (30) them/...

them that they must fight. I do not accept that that is the policy of the organisation and I accept that it is an irresponsible speech by this person who is talking here. I do not share the sentiments expressed here and the UDF would not share this kind of sentiments.

And the word "hit", that is something else then. The hit back something else than the ordinary peaceful means of protest. -- Well, I do not know what he has got in mind. He is talking about hit backs with all the means at our disposal. (10)

That means something more than just peaceful protest. Do you agree to that? -- It may well be. I do not know.

Can you explain to the Court if somebody has to face the wroth of the people, what does that mean? What do you understand under that? -- The words facing the wroth of the people has been used in the past, simply to mean that they would be angry with you. They might isolate you. They would not co-operate with you, but I do not know what the speaker had in mind here.

Then we go on "Comrades, patriots, we must be indomi-(20)table, uncontrollable, unwilling, adamant and stubborn to the racist rule (inaudible) (applause) Comrades (inaudible) we must disobey in whatever others turning us into tools of our own oppression. We must escalate all possible resistance. We must refute and refuse to believe any propaganda offensive by the enemy including any attempt to win our hearts and minds. We must refuse to be conscripted, persuaded or recruited to serve in the middle of the racist army of doom by the enemy." Will you agree that he is inciting the people on this meeting now to civil disobedience? -- It may well(30) mean/...

mean that, but as I understand it, he seems to be saying to be linking that with attempts to turn us into tools of our own oppression, attempts to using us to oppress ourselves. I do not understand it to be a general thing where he says now we must just reject everything else and he says we must refuse to believe any propoganda offensive by the enemy.

Then he says further "We must - oh sorry, we must resist we must fight for our own liberation and we must destroy the whole system of oppression and exploitation, starting (10) with the so-called new constitution itself. We must begin to use our accumulated strength to destroy organs of this government. We have to undermine and weaken its control over us. We should direct our collected might to render the enemy unworkable. We must create conditions in which the country must become increasingly ungovernable. Compatriots, as we are looking forward in this struggle as our offensive and in the forthcoming battle-field we shall recall the battle swage by our people not in too distant apart." Will you agree that this is much stronger, this call on the (20) people at that meeting a just and peaceful opposition to the government? -- I do not know what the speaker had in mind. All I can say is that the UDF rejects the whole concept of making the country ungovernable.

COURT : Do you know whether this speaker was ever publicly repudiated by anybody? -- I do not know. I did not know about what was said at that meeting until I saw this transcript here. I did not know anything.

MR JACOBS : You said you do not know what this person had in mind, but the wording, as it stands here on the face (30)

value/...

value of it, as it was told to the people at the meeting, that is quite a different meaning to the peacefulness of the freedom struggle. Is that correct? It is contradictory to a peaceful struggle? -- Well, I do not know. May be. If one couples the word with the use of the words like combat and so on, it may well be capable of the meaning of violence, but I was not at that meeting. I do not know anything. I can simply state what the UDF's attitude would be in respect of this.

Can we go on from the bottom of the page. I will (10) read from the ninth line from the bottom. "This youth decided out of their own experiences of paying torture and suffering to render the enemy's instruments highly - I suppose unworkable but workable here. They made it impossible for the urban Bantu council to seek to exist. Comrades and compatriots, at this final point I shall refer to the situation at a small township in Pretoria. That is in Atteridgeville where at this stage the spirit of revolution is hovering amongst the people, amongst young people. When their fellow student Emma Sitebe was brutally murdered right next to them, these (20) students shall never forget this and hence we are gathered here today to pledge ourselves to wage the struggle, intensify the struggle against the enemy. Comrades and compatriots, (inaudible). I was going to confine myself to (inaudible) It is quite clear that each and every one here knows very well what has happened. I mean generally, but I shall take this opportunity to condemn in no uncertain terms and in the strongest possible terms the role of the apartheid controlled medium plague in the (inaudible) situation." Then at the bottom further down, the eighth line lower "I shall pledge (30) to/...

to you here the youth of my country to try by all means to participate in the war (inaudible) What I am saying is that through the apartheid controlled media our people are getting wrong information. I shall edge you comrades and feed the people with the true information. (Youth congresses) (Inaudible) The Alexandra Youth Congress and our structure must make it our duty to (inaudible) and to act as competent young revolutionaries and wage the revolutionary struggle." So, this person is also inciting the people on this meeting, organised by affiliates of the UDF under the auspices of (10) UDF to violence. -- I do not understand what auspices means. Does it mean under the control of the UDF?

Is it a word used by the UDF itself, that organisations must come under the auspices of the UDF? -- We normally say under the banner.

Let us change it then, under the banner of the UDF. Do you understand that better. -- Well, under the banner of the UDF does not necessarily mean the UDF has control over the meeting. Any way, in respect of the question that has been raised, I think what the speaker is saying is nothing (20) that I can attempt to defend. I would not deliver this kind of a speech myself in the way that he is doing it. I do not know what he had in mind and certainly this is not UDF policy and from my knowledge of affiliates of the UDF, there is no policy to make the country ungovernable, using the kind of methods he is suggesting here.

The newspaper of the community paper Speak, not Speak, The Eye, is that read in the Black townships? -- It is, in Pretoria I believe.

And in the other places? -- It may well be that some (30) copies/...

copies might reach Johannesburg. I am not quite sure.

I put it to you that what some of the remarks of Mr Kekane was published in the community paper, The Eye? -- I cannot dispute that. I do not know.

Do you check on the papers or do you or the UDF read the community papers? -- I believe if they get them, they do read them, but surely, when one gets the paper, he does not read everything on the paper.

Do you know whether this newspaper, The Eye was an active supporter of the UDF policy and so on and of the (10) UDF in general? -- I would not say it is an active supporter of the UDF policy, but it would report on UDF meetings.

Do you know whether they attended any UDF meetings as observers? -- They might have. I am not sure.

You see, I am going to put to you that what is said by Mr Kekane was also published in The Eye and that is The Eye of August, 1984. -- I have not got it in front of me. I do not know. I have not read it.

I refer you to a paper that was marked as EXHIBIT W67 volume 11. (20)

COURT : Where was this found?

MR JACOBS : This was not admitted ... (Court intervenes)

COURT : Yes, this was admitted according to a note on my document.

MR BIZOS : It was found in Grahamstown.

COURT : With whom?

MR BIZOS : It does not say. That is all it says.

MR JACOBS : On the cover page there, the heading of the article is "Thousands of youth make a call for the total boycott of elections" and then there is a photograph of (30)

Cedrick/...

Cedrick Kekane, general secretary of SAYO, addresses the UDF Youth Rally.

COURT : What do you want the witness to answer?

MR JACOBS : I put it to you that it was reported in this article, under this heading in the third column what Mr Cedrick Kekane said. It is reported here "Mr Cedrick Kekane of the Saulsville/Atteridgeville Youth Organisation SAYO called on people to make themselves ungovernable. We must be difficult to control. We must render the instrument of oppression, difficult to work. We must escalate all forms of resistance, (10) he said." Do you see it? -- I see it.

This was published in this paper and I put it to you it was distributed between the people in the townships and did the UDF not know about this or did it not come to the notice of the UDF? -- I did not know about this and I believe the UDF - the UDF National did not know about this.

And in this paper it is also what Mr Firoso Cachalia said, it is just before that of Mr Kekane. There in the second column it is said "Mr Firoso Cachalia, the students' leader and member of the Transvaal Indian Congress." Is it (20) correct that Mr Cachalia is a member of the Transvaal Indian Congress? -- I believe he is.

"Rejected suggestions that South Africa are fighting a civil right struggle. Ours is a struggle for self determination and freedom, he said." Is that also in line with the UDF policy? -- Well, what he is saying here, is his view that he held in the UDF. I have dealt with that matter previously.

Do you know what position Mr Dan Montsisi held? -- Are we talking as at the time of this meeting? (30)

Yes/...

Yes? -- In which organisation?

I am asking you. Do you know? -- Well, I do not know what position he held. He was not an official of the UDF. He was not on any executive structure.

COURT : Later on? Did he ever become an official? -- He later on became a member of the Transvaal Executive in 1985. I think around March, during the month of March.

MR JACOBS : When Dan Montsisi was elected, did he hold the youth portfolio in the UDF? -- I believe he holds that portfolio. (10)

Do you know which position Lulu Johnson held? -- I do not know. He was not an official of the UDF.

Do you know whether she was a member of COSAS or held a position in COSAS? -- Yes, he was the president of COSAS.

I put it to you that it is strange that all these other people in the affiliates of the UDF did not reject Mr Kekane's statement and speech on that meeting? -- Well, I do not know. I have got no evidence that - of whether they did or did not. I was not there. I did not even get an account, a report of that meeting of what happened there. (20)

I put it to you that it was not reported, it was never taken up by the UDF and all that because it is not contrary to the aims and objects of the UDF? -- I do not accept the proposition. I do not accept that that was the reason. I do not even know if the UDF knew about what the speech of this person was and I do not know if the matter was ever discussed and what the UDF Transvaal did about that. This report seems to have come out in August. It may well be that it came at the time when a lot of people were arrested. I do not know. (30)

I/...

I would like to go to another exhibit, EXHIBIT V16. This is a transcript of EXHIBIT 16 and it is of a "UDF Do not vote rally, Lyric Bioscope Hall, Kimberley on 28/7/84."

COURT : This is the one you helped organise. Is that correct?

-- That is correct.

MR JACOBS : Were you present on that meeting? -- I was not present.

I would like to refer you to page 5. It seems as if it is part of the speech of Albertina Sisulu which starts on page 3. Just before we go to that, I would like to refer (10) you back to EXHIBIT AL23, this meeting that was organised by you. It also appears on EXHIBIT AL23? -- Yes, this one was a UDF meeting.

As item number 4. -- This one was a UDF Northern Cape meeting and the national office paid for the advertisement of the meeting.

You organised it? -- I helped, yes.

So, this document is not only a list of events, but it is a program then? -- It contains those meetings that were organised by the UDF directly, but it has got other things (20) that the UDF did not have a direct part in organising.

I would like to start at the bottom of page 4 and read to you , from the fourth line. "Did the people know that they are voting for their own oppression? Did the people know that they are going to vote for their call-up to the army? If they vote, whom are they going to fight? Are they going to fight their brothers? Are they going to fight their fathers and mothers of the country? Whom are they going to fight, because now it means that if they are going to be called up as soldiers they are going to fight (30)

a/...

a war. Which war? The war of the oppressed people of the country, because the struggle continues and we shall not stop until we get our freedom. We shall not stop fighting until we get our birth right and that is a right to us. Now it means that our children are going to fight us. They are going to fight their brothers. They are aware of that. I want to warn them that the government is trying to be clever to let our children fight us. So that it must go on with its dirty work the apartheid work." I put it to you, according to this statement here, if the people join the government(10) and be on the part of the government and if they are going to fight a war and a war against you, it points out and it brings out that the freedom struggle is not a peaceful struggle? -- Well, the freedom struggle that the UDF is involved in, is a peaceful one and I do not believe that Mrs Sisulu intended that she is involved in any violent struggle.

A message to the people at that meeting and as a president of the UDF is quite clear to the contrary to what you said? -- Well, I have not had time to read this whole speech of(20) Mrs Sisulu. I might have to come back to it later on, but I do not understand it to mean that Mrs Sisulu is encouraging any violence. All she is saying is that the new constitution seeks to conscript Coloured and Indian youth.

Is that all that is said here? -- And to be involved in maintaining apartheid.

Against who? -- She says against us.

And who is that? -- But I believe she is talking about the oppressed people or those who do not support the apartheid policies.

(30)

So/...

So, they are going to fight the African people and that there will be a war? -- I do not limit it to the African people. I think those who do not support the policies of apartheid.

Is this war going to be between the two parties, on the one side the masses, the Black people and on the other side the government and government institutions? -- I do not know what she had in mind. I believe that all she was saying was that they would be used to suppress those who are struggling against apartheid. As I say I have not been able to read (10) this thing. I cannot deal with the context in clear terms in which I think the speaker was presenting this. I am merely talking on the basis of my knowledge of Mrs Sisulu.

On the face of this as it was read out to you and it was directly conveyed to the people on that meeting, this is quite clear. It is not a question of what anybody thinks or what you think, but the message was quite clear that she brought to the people on that meeting? -- I do not understand it that way and in fact it is not this paragraph in isolation that was presented to the people. It was the whole speech. (20) So, that it should be understood in the context of the whole speech.

And on page 7 it seems as if it is the same speaker still going on and I put it to you in the light of what she said about the war, that we go on now "Now it is our UDF. The government is busy with the UDF. Why is the government busy with the UDF? Because the UDF is uniting the people and the government knows that unity is strength. If we are united we can topple this government tomorrow, but if we are divided, then the struggle will carry on for (30) years/...

years. In the meantime the government is busy making laws one after the other. Meanwhile the government is busy you know feeding its people comfortably and that has got to end. Our UDF has come here to stay. Our UDF is going to do its work until it has achieved what it wants to achieve." So, I put it to you, this is clearly in line with what she has said earlier and that it is in the struggle that the government must be toppled. -- We she is using the word topple, but that does not include the element of violence. If the majority of the people do not support the policies of the(10) government, then the government will have to come with an offer in which case, if it gives a vote to all the people of South Africa, it would be voted out of power, but I think also, this section is incomplete really. This last paragraph page 6, but it does appear like she was really dealing here with accusations levelled at the UDF, these being that the UDF was a front for the ANC and so on, because now she says that we know that it started with the communist party, that was a frightened object, that if you are fighting for your right, you are a communist. It went round to the (20) ANC that was banned in 1960. Can you imagine a snake that has been killed so many years ago and yet the government is so afraid of that snake, that it could still bite.

Just before you go on, can you tell me, on what do you base your statement to the Court now that she is referring to the fact that somebody said the UDF is part of the ANC? Where is she saying that? -- I am not factually saying so, but I am just reading between the lines. Perhaps it is because I am influenced by what I knew to have been the accusations at the time, but it seems like that is what (30)

she/...

she is saying and she is saying that the ANC is a dead snake and so on. Then she continues at page 7 where she talks about the UDF.

So, what you are saying in this regard is pure speculation and conjecture? -- These paragraphs are incomplete and I am trying to understand it also with the background that I knew of the accusations against the UDF, because it is not clear what this paragraph is really saying.

I put it to you further ... -- I am not taking a rigid position on that. (10)

I put it to you that the paragraph I read to you is not incomplete. It is a complete paragraph? -- What is the paragraph that counsel is referring to? AT page 7?

Yes. -- The second paragraph?

That is the paragraph that I have been reading out to you and on that paragraph I asked you questions. -- I see this to be a complaint really. "Now it is our UDF. The government is busy with the UDF. Why is the government busy with the UDF? Because the UDF is uniting the people and the government knows that unity is strength. If we are united, we(20) can topple this government tomorrow, but if we are divided then, the struggle will carry on for years. Meanwhile the government is busy making laws one after the other. Meanwhile the government is busy you know feeding its people comfortably that has got an end." It is again an incomplete sentence. "Our UDF has come here to stay. Our UDF is going to do its work until it has achieved what it wants to achieve." It is difficult to take a definite position, especially because I was not at this meeting, but I understand this to be a complaint that the government is busy accusing the UDF and so(30) on/...

on.

COURT : Could you turn to page 8 the second paragraph. Is that the UDF policy? "The government must know that we will not rest and our new leaders is not going to rest until it arrests Botha and its regime"? -- No, that is not the UDF policy. That is not the intention of the UDF. We may well have to go and listen afresh to that section.

Because if this is the policy of the UDF the national convention has no hope at all to get off the ground? -- That is certainly not the policy of the UDF. (10)

MR JACOBS : But again, this is the message conveyed to the audience at that meeting in clear terms by one of the presidents of the UDF? -- I was not there. I cannot say it is precisely what she said, but I have serious doubts that she could say that. That is simply not the policy of the UDF. The UDF is not involved in a struggle that has as its goal revenge against anybody. We are not talking in terms of arresting certain people and doing anything. We are talking about the need for a non-racial society where all people will participate. Those who are in the present government (20) and those who were not part of this government participate as equals.

I would like to refer you also to page 20 of the same document. Just before we start here. Did you arrange for Mrs Sisulu to be a speaker at Kimberley? -- Oh, no, the speakers were chosen by the people at Kimberley. They decided who they wanted as speakers.

If I look at page 16 it seems as if the next speaker we are going to deal with is Professor Mohammed, Professor Ismail Mohammed. Did you know that he was going to be a (30) speaker/...

speaker at this meeting? -- I think he was supposed to speak at the meeting in East London on that day. Somewhere in the border region. I do not know how he came to be a speaker at this meeting.

Did you not know that he was going to be a speaker there?
-- No.

Is he an extra speaker that was allowed at the last minute or how did it come that he was a speaker? -- I think he went there at the last minute, because I think at the last minute the meeting that was to be in the border region was (10) banned or something. Something happened.

And then how did it come about that he was nominated to speak in Kimberley? -- I cannot remember, but I think he might have decided to go there. Earlier on I think they had wanted him to go there, but then he had to go to, he was supposed to go to the border region. I think when he discovered that the meeting was banned, he decided to go to Kimberley.

MR BIZOS : Your Lordship will notice that he is not listed as a speaker on page 2 on AL23. The list of speakers are (20) Allan Boesak, Mewa Ramgobin and Albertina Sisulu.

MR JACOBS : Let us start on page 20 at the bottom. "As I have said in the schools, in the colleges, at the universities and the factory shop floor and in so many other places, for those who want to see, for those who are not going to pretend that our country is not in turmoil, there are unmistakable signs of those ways of anger and determination. You know like the mighty sea it is going to roll more and more in unity and it is going to break into a raging storm to smash racialism and oppression. It is going to spread, (30)

it/...

it is going to smash those things on the rocks of our united people. I must repeat again, the words that have been said by Albertina that if we are united people, then the regime will not last another day." It seems as if what was read to you previously about Mrs Sisulu was a correct version because he is including her words here in his speech. Do you agree to that? -- Well, I have got no problem with that, that if we are united et cetera. My contention is that Mrs Sisulu does not support a policy of violence. She is not a violent person and the UDF is not a violent organi-(10) sation. To say that the regime will not last, does not simply violence. It simply means that that will finally pressure the government to come to the realisation, but it has got to talk with representative leaders about the future of the country.

Every time you go on to this that the government must talk. Let us take - is it not one of the complaints that why the African National Congress did go underground and did resort to violence, was because the government did not - or was not prepared to talk? -- I cannot talk for the ANC.(20) All I can say is that I understand that it went underground after it was banned. A section of that organisation decided to adopt a violent strategy after they had been banned.

But is it not the general propaganda that is conveyed in the circles of the UDF that also that the reason why the ANC had gone violent and underground is because of the government's refusal, that is in the history of the struggle, to talk to the people? -- It might have been said, I do not know. I cannot remember of a specific instance.

And since, according to the history of the struggle then,(30) did/...

did the people ask to be taken up in the government? -- I do not understand the question.

Since when was it asked that the people must change - the government must change and allow the people to be part of the government? -- I think for many, many years.

And since then, for many, many years the government refused to do that. Is it correct? -- That is correct.

So, what makes you think now that suddenly from inauguration of UDF that you will get a change in the government now? -- Particular circumstances had developed that time. (10)
The government was talking about change. We sought to influence the content of that change.

But a change that was not acceptable to the UDF? -- We sought to influence that change to be a better change, much more than what the government sought to present. I think the same could be said about the trade union movement here. For many, many years Black people were not allowed to have their own trade unions. They were not recognised as employees or as workers. They were simply regarded as servants, but over a period of time as a result of protest and criticisms (20) the situation kept on changing improving all the time and finally today they have got their own trade unions which are recognised also. One cannot argue that simply because a problem has been going on for a long time, there is no hope for change. I think that is a fatalist attitude. We believe that the more we talk, it does not matter how long it takes us, the more we talk, the more we organise. The more we criticise the government, the more it will move. There are many examples which show this. The movement from the South African Indian Council to the tri-cameral (30)
parliament /...

parliament from the CRC to PC and then from CPC to the Chamber for Coloureds. All those things show that the movement is taking place. There is movement taking place. Black people were not allowed to have their own technical schools. Through protest and so on they are having them now. Not allowed in White universities. Gradually, through pressure coming from all sides, there is this move all the time. I cannot predict that it will be tomorrow, but I am prepared to work for that change and I am prepared to pursue the methods that I am pursuing, because I believe that they are correct. I (10) believe that they will yield results.

Do you say that the movement of the government in the - to a tri-cameral parliament was as a result of UDF? -- No, not as a result of the UDF. As a result of those voices which were heard at the time of the SAIC elections, the South African Indian Council elections and even before that. Many protests which had been there. Even criticisms that were coming from inside the government. All those combined to influence these movements.

Let us go to page 22. I will read from the second (20) paragraph. "These are the things on which the regime has to spend the moneys but let me say to you, all this is spelling in fact that there is bound to be a growing conflict in our country and I said before that our people are determined to change. Now of course our rulers are very, very aware of the situation in the country. You know, they are aware of the dark strong clouds of our people's anger. Those who impose their will on us because they have guns, are fast realising that their prisons, that their armoured cars, that their machine guns and mirages and so on that they get from (30) abroad/...

abroad are not going to keep us in subjugation for ever. You know there was a time when we meekly submitted and we were moved from Sophiatown and elsewhere and we voiced our anger in private. These days are gone. You will long remember the days when we as an unorganised moving class or as a divided community or often as the disinterested students just interested in his own personal success. Those days are gone. The days when in fact the regime could impose their will on us and to hell with the consequences. That same regime is in spite of the mirages and all the guns and (10) weapons at their disposal are no longer sleeping peacefully. They are no longer sleeping comfortably, because they have sensed the anger of the people. They understand that gathering storms cannot be stopped. They understand well that the arsenals of weapons that they let loose for example on the people of Namibia was unable to stop that people of Namibia from achieving their freedom and it is not going to stop us also." I put it to you that what Professor Mohammed is conveying over to the people at that meeting here again in regard to the freedom struggle is that violence is in- (20) eminent in the freedom struggle and the government will be taken over by means of violence. -- I do not see a single statement that says that. I understand it to mean that using weapons against the people is not going to silence them. They will continue to organise and unite against apartheid.

And he is saying also that the anger of the people will be used against the government? -- I understand him to be saying that the people are angry because the government is continuing to exclude them.

Then he goes on at the bottom "And they know we have (30) learnt/...

learnt of course the lessons of Angola and of Mozambique and of Zimbabwe and of all the other people who were oppressed or in bondage like ourselves. We have learnt from them that a united people, the rulers who pretend to be so powerful, are not so powerful and we are not so weak as they pretend we are." I put it to you that the reference here to Mozambique, Angola and Zimbabwe, are all three places where freedom was won by violent revolution? -- I believe there were people who were fighting, organisations which were fighting in those countries. But I also know finally it was nego-(10) tiations that brought an end to the conflict and whilst he is saying that, I think really the point he is trying to make is that the people of South Africa will be free like other people who were being oppressed in the past. I do not think he is saying that he will use the methods that those people used to achieve their freedom. I understand him really to be saying that if other countries in Africa got their freedom, we will also get it one day.

ASSESSOR (MR KRUGEL) : What freedom is there in those countries? Angola, Zimbabwe and Mozambique? What strive(20) has ended there? -- Well, one can say that at least all the citizens can vote. That is really all we are fighting for, striving for here in South Africa, to have everybody having a vote. Whether they are able to produce to feed their citizens and provide enough technology to deal with the diseases and so on, enough health care, it is another story, but at least they have a vote. It is up to them to work and develop their own countries. If they are failing, they are to blame. Everybody who has got a vote is free.

WITNESS STANDS DOWN.

(30)

COURT ADJOURNS UNTIL 21 AUGUST 1987.