

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

A

SAAKNOMMER: CC 482/85

PRETORIA

1987-09-07 en 08

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST E

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

LUBBE OPNAMES

VOLUME ~~279~~ **280**

(Bladsye 15 251 - 15 343)

COURT RESUMES AT 14h00 ON 7 SEPTEMBER 1987.

THOMAS MADIKWE MANTHATA, still under oath

FURTHER CROSS-EXAMINATION BY MR HANEKOM : Mr Manthata, we were busy with EXHIBIT AX15 page 38. What was the point you wanted to make in relation to the last paragraph of point 38? -- Yes, I wanted to show that it is a hopeful note, which shows clearly that the people concerned here are peaceful people who pursue peaceful means and can only advise people or warn people not to go into institutions that would continue causing miseries and sufferings to the people. (10)

But that is only on the presumption that the people do not take part in the elections, but if they take part as set out in paragraph (b), they will have crossed the battle line and if they are going to vote on 22 and 27 August they will thereby side with the enemy and to be blamed for the blood that will be shed after August 1984? -- We were confident and we were hopeful that only a minority persons will do that kind of a choice but the majority of people, once they have shown rejection of the tri-cameral parliament, we shall be satisfied with the view of the majority. (20)

Turn to EXHIBIT AX14 page 17, the letter of invitation.
-- Yes, I have it.

At the end of the letter it says "Do come to this historical day that will turn the tide against the evil system and the participants thereof." What does that mean? -- I think that is just an expression of over optimism. It would not be the first in history to express rejection of government institution and that it could have turned against the tide of the evil system in the first place. We were the people in Soweto or the Africans who were not even going to vote, (30)

so/...

so this was just over optimism expressed here.

Did you in the Soweto Civic Association regard the government as an evil system? -- Apartheid is an evil system and those who execute it are people in the evil system.

Why was a copy of this sent to Dr Motlana? Do you know? -- He was the chairman. I could not do anything without his knowledge.

Turn to page 60 of the same exhibit, please the marked paragraph 1. We have dealt with the first sentence, the question of the document that was adopted and then it (10) continues "The committee responsible for the campaign against the election was mandated to continue with the arrangements for the meeting of the Transvaal Civic Association delegates on 11 August 1984 and the relevant publications. To what does that refer? -- It was the committee that was arranging this meeting of the 12th, that it was mandated to continue with the arrangements that is with the invitations to the people for the civic associations of the 12th, for the meeting of the 12th.

And the relevant publications referred to? -- That (20) is the - we referred to the position statement.

COURT : Let us just get clarity now. The Transvaal Civic Association, is that the federal body of the civics? -- No, we do not have it.

What is the Transvaal Civic Association? -- It should be associations.

MR HANEKOM : Were you a member of the committee, of that committee referred to here? -- That is the committee just for the meeting of the 12th.

Were you a member of that committee? -- Yes, I was a (30)
member/...

member of that committee.

Who were the other members of that committee? -- It was myself, Reverend Chikane, Sister Bernard Ncube and Mr Sebothoma.

Were they all members of the Soweto Civic Association? -- Three of us were of the Soweto Civic Association and Sister Ncube was of the Krugersdorp Residents Organisation.

The UDF as part of the campaign against the tri-cameral parliament, started the million signature campaign. Were you part of that campaign? Did you take up the million (10) signature campaign in Soweto Civic Association?

COURT : You, being accused no. 16 or you, being the Soweto Civic Association?

MR HANEKOM : I meant to say you in the Soweto Civic Association? -- We did not go to the million signature campaign in the Soweto Civic Association.

Will you have a look at EXHIBIT AL42 please volume 3.

COURT : Was there any agreement on this document?

MR HANEKOM : It was found in the UDF office Johannesburg. It is headed "The UDF signature campaign in Transvaal. (20) Report from Transvaal UDF signature committee 10 March 1983." In the second paragraph we see, it reads "So far, meetings of activists have been held in many ..." (Court intervenes)

COURT : Just a moment now. This is before the inauguration of the UDF National?

MR HANEKOM : Yes. "So far meetings of activists have been held in many Witwatersrand areas and organisations, Tembisa, Alexandra, Soweto, Johannesburg, Pretoria, Fordsburg, Lenasia, DESCOM, JODEC, YCS, AZASO, NUSAS and signature (30) committees/...

committees have been set up in about half of these." Were you aware of any meetings held in this regard in Soweto?

-- No, I was not aware of any of the meetings.

On the numbered page 2, the same page but the numbered page 2 under (b) item 2 says "Workshop in Soweto. Decision to make local slogan sign against apartheid." Were you aware of such a workshop held in Soweto? -- I do not know of this workshop in Soweto.

I put it to you that the truth is that the Soweto Civic Association did participate in the UDF's campaign on the (10) million signature campaign? -- I deny that.

MR BIZOS : Is it in respect of this document or is it on any evidence led by the State or something to come?

COURT : I do not know if you are entitled to ask that. Take it in a wide sense it seems to me.

MR BIZOS : But there is an element of unfairness with the greatest respect, when there has been no evidence on behalf of the State. They are bound by the answer unless they can confront him with something. They produce a document which does not contradict the witness and the conclusion that is (20) put to the witness is that you are not telling the truth. If the document does not bear that out, they are obliged, with respect, in fairness to the witness and to the Court not to make allegations in the air.

COURT : Yes, but we must take it that there is still to come, is it not?

MR BIZOS : That is why I wanted clarification.

COURT : Yes, but you are not entitled to ask clarification beforehand. You can object afterwards. We must accept that everybody plays by the rules. (30)

MR BIZOS/...

MR BIZOS : I would not say anything more at this stage.

MR HANEKOM : I put it to you that the Soweto Civic Association actively participated in the planning and execution of the campaign against the Black Local Authorities in order to organise, mobilise and politicise the people in Soweto? -- The Soweto Civic Association organised the people against the election of the Community Councils under the BLA.

I did not get the answer. Could you repeat it, please? -- I say the Soweto Civic Association organised people and campaigned against the elections of the Council under the (10) BLA in 1983.

I put it to you that after the elections the Soweto Civic Association continued to campaign against the Black Local Authorities. What do you say? -- I reject that.

I want to refer you to a few exhibits. The first one AM24 in volume 2. This document was found in your possession. It was admitted. -- It is incorrect. It was not found in my possession.

It was admitted by the defence that this document was found in your possession? -- It is incorrect. We have (20) already referred to this document and I said that the first time I saw the document was when I was in prison preparing for this case.

I want to refer you to page 4 of this document. I just want to identify this document first. It is the Soweto Civic Association workshop 8, 9 and 10 June. At the top of page 3 it says that it is 8, 9 and 10 June 1984, the workshop held at Wilgerspruit. Do you know anything about that workshop that was held on those dates at Wilgerspruit? -- Yes, I know that this workshop was held. I did not attend (30)

this/...

this workshop, but it is true I organised for this workshop. I procured the people transport from Soweto to Wilgerspruit and I even arranged with the Wilgerspruit people for the catering of the people to be attending this workshop.

What was the purpose of this workshop? -- This workshop was to discuss the whole concept of the civic associations with particular emphasis or reference to the Soweto Civic Association. Eversince the formation of the Soweto Civic Association we have never had a time when we could have discussed ideas, just backing ideas freely without following(10) a said agenda for a said specific program. So, here it was, we felt that we needed a workshop of this nature where we could have what one might call a general thinktank. That is that anybody could express his views on what he thinks the civic association should be like and this was the nature of this workshop.

Was it also intended to the valid organising skills amongst the civic members? -- Well, yes, primarily the skills of how to run a meeting, how to take down minutes, how to - that is for the treasurers, how to account for (20) the moneys. This was part of the workshop, besides betting ideas, running left, right, centre.

At the top of page 3 paragraph 1 the second sentence says "The purpose of the workshops is to develop organised skills amongst civic members." That was the only purpose given in the report itself? -- No, there was - I do not know whether this was part of the sessions would be devoted to this, because ... (Court intervenes)

COURT : Sorry, I am interrupting you now, but I have lost track of what is going on. What portion are you referring(30) the/...

the witness?

MR HANEKOM : Page 3.

COURT : What portion of page 3?

MR HANEKOM : The marked paragraph 1 the second sentence.

COURT : "The purpose of the workshops is to develop organising skills amongst civic members"?

MR HANEKOM : Yes. I put it to the witness that this is the only purpose that is given in the report itself, that this was the only purpose of the workshop.

COURT : What is your answer? --My answer is that I think(10) there is given just a general view - that is one of the general aims of the workshops, that workshops are aimed at giving the people the skills, but not particularly this one, if I get that sentence correctly. The purpose of the workshops as in general terms.

MR HANEKOM :

Then it continues that "A second workshop will be hold on 13, 14 and 15 July 1984 at Wilgerspruit." Did the second workshop take place? -- No.

Why not? What happened? -- I do not know why, but it was not held in Wilgerspruit. I think it was held in (20) Wits.

But the workshop did take place? -- The workshop did take place.

Did you attend that second workshop? -- The second one I attended.

What was the purpose of that second workshop? -- It was the second workshop that actually went into the skills of how to organise and so on.

While we are busy on this page, please have a look at the bottom of that page under the heading "History of the(30)

civic/...

civic association." It says "In 1976 the community was in uproar. Thousands of people were mobilised against Bantu Education. It was under these conditions that the Committee of Ten was elected at a public meeting." Is that a fair description of the history of the Committee of Ten? -- It is not a fair description of the committee.

What is wrong with this? -- The very first sentence that thousands of people were mobilised against Bantu Education. It was under these conditions that the Committee of Ten was elected at a public meeting. That is incorrect. (10)

So, the report is incorrect in this respect? -- That is correct.

Who brought out this report? Do you know? -- The report was drawn by those who were enabling us, I think it was Mr Matotsi Lephosa and Mrs N. Moyi. I do not know whether it is Mooi or Moyi.

And on the second page we find the history of the establishment of the Soweto Civic itself. Paragraph 4 "In October 1977 the Committee of Ten were detained at Modderbee Prison for several months. Some members were (20) also banned but it was around this time that it also became clear that ten people could not advise and lead on behalf of the people of Soweto. A conference was called at the Holy Cross Mission and the Soweto Civic Association was formed. The Committee of Ten was elected as the executive of the civic that were also mandated to set up branches." Is that a fair description of the history of the Soweto Civic Association? -- That it was formed in 1977?

Yes and the reason for forming was that it became ... -- It was not formed in 1977. (30)

So/...

So, the report is incorrect? -- It is incorrect.

And the reason given in the report that it became clear that ten people could not advise and lead on behalf of the people of Soweto? -- It is incorrect. What led to the formation of the Soweto Civic Association was seeing that the people, seeing that the ten have produced the blue print, what should be done with the blue print. It was on the basis of that that the people decided and mandated that the ten should now continue to form or to found the Soweto Civic Association .

The bottom half of that page, page 4 under campaigns(10) and projects paragraph 4 says "The civic also campaigned against the Black Local Authorities elections late last year. The poles were low. How this campaigned was organised was not discussed." Could you briefly explain to us how the campaign was organised in Soweto, by the Soweto Civic Association, the campaign against the Black Local Authorities elections? -- Meetings were held in various parts of Soweto, that is the branches held meetings and eventually I think there was a rally and even thereafter on the day of election people moved from one voting pole to another talking to (20) the people against the voting.

What did you do on that day, election day? What was your part? Did you speak to any people? -- Yes, I spoke to the people.

What did you tell them? -- I had to ask them what is it that they envisaged out of this election, what is it they expect the councils to do and one had to get into what the councillors have not been able to do and that it is up to them in the light of what the councils have been doing all the years through, to see whether to go and vote or not. (30)

I/...

I want to refer you to EXHIBIT AA8.

COURT : What is admitted in respect of this document?

MR HANEKOM : It was found in UDF office Khotso House, Johannesburg. It is a pamphlet headed "Black Christmas. Nothing to celebrate." Seven lines from the top it says "The African people said and continued to say no to Community Councils and no to Bantustans and 1984 has been a year of united action, a year of heroic struggles against apartheid." The African people said and continue to say no to Community Councils and no to Bantustans." Was that also the viewpoint of (10) Soweto Civic Association at that time after the elections, that they continued to say no to Community Councils? -- I cannot understand this pamphlet. First, was it issued by an organisation which gives its own assessment of things or is it counsel saying where does Soweto Civic Association feature in - I cannot understand.

Soweto Civic Association features in right at the bottom where it says the organisations of the people and the organisations are listed and one of them is the Soweto Civic Association? -- I deny that the Soweto Civic Association was a (20) party to this so-called Black Christmas, nothing to celebrate pamphlet.

COURT : When was the Black Christmas? What year? December 1984? -- That is so.

MR HANEKOM : Was the Black Christmas campaign ever mentioned in any of the Soweto Civic Association meetings? -- I think FOSATU did appeal to the Soweto Civic Association for participation.

And what was the response of the Soweto Civic Association? -- I think in reply we just said we knew. We did not (30) particularly/...

particularly say we are going to participate, how are we going to participate, but I remember there was this appeal made to the Soweto Civic Association.

And we find that in EXHIBIT AX14 on page 4? -- That is correct.

And its meetings of 11 November 1984 - I am sorry, it is page 5 at the bottom. It says "FOSATU calls for a consumer boycott this Christmas." What was discussed at that meeting, the meeting of 11 November 1984 around this call? -- This call as far as I remember was made in the (10) light of the common practice of people of buying lavishly for Christmas and New Year and yet at the beginning of the year, they would find parents unable to take the children to school, more especially where such things as paying for school books and even paying a part of the school fees were concerned and we would find that sometimes where schools demand uniforms, you will find that parents have wasted much money buying children the so-called Christmas clothings, Christmas what not and when the year starts they are unable to meet the demands like buying school uniforms and so on. (20)

COURT : So, was the Black Christmas campaign a campaign to save the people from themselves? -- That is how it came through to us. That is to remain organised and to prepare themselves for the forthcoming school year for their children.

MR HANEKOM : In EXHIBIT AA8 it says, the third last paragraph the last line "Do not buy from businesses supporting Community Councillors and the tri-cameral parliament." Was that also the stand of the Soweto Civic Association? -- This was not the stand of the Soweto Civic Association .

And do I understand you correctly that your name, the (30)

Soweto/...

Soweto Civic Association's name was incorrectly attached to this document? -- If this is a note that came out of a meeting organised by FOSATU, the Soweto Civic Association never delegated people to attend such a meeting.

Just for record purposes, this document was issued by UDF. I now want to refer you to EXHIBIT W74. It was found in the possession of J. Kasu Vryburg and it is the Soweto Civic Association Annual General Meeting 1 December 1984 on page 3. It is an article "Long live SCA. Down with Community Councils." In the first column the second(10) last sentence, the last paragraph "The Black Local Authorities ...". I will start at the previous paragraph, the second last paragraph in that column "The government was confronted virtually at all levels. Workers were also up in arms against unfair dismissals, unfair remunerations and non-recognition of their unions. The Black Local Authorities were rendered hopeless, toothless and powerless by the masses of our country. The demands of our people were very clear. Down with Community Councils. More houses. Low rents." Do you see that? -- Yes. (20)

Coming from the Soweto Civic Association I put it to you that the Soweto Civic Association clearly was part of the process to render the Black Local Authorities hopeless, toothless and powerless, part of a struggle on a national basis? -- Yes, I attach very little meaning to this, because here is an assessment of the conference and a person goes beyond what the conference might have decided and then he gives his own view of what the events of the year could have meant to him, but this was definitely, this was the sort of thing that counsel was referring to in terms of the (30)
campaign/...

campaign against the local authorities. It was never conducted as a campaign but as I have said, where there were specific areas of the people's dissatisfaction and it was made clear that these were caused by the Community Councillors, the people never stopped to make that known to the community and people never stopped to make efforts to redress the plight of the people in the wake of the hardships that caused them by the Community Councillors or by the council system.

Whether this was the personal view of the person who wrote this or not, this is in this form that we find it (10) here that Soweto Civic Association distributed this publication and it was carried over to the people that the Soweto Civic Association was part of the struggle rendering the Black Local Authorities hopeless, toothless and powerless. That was the message that was carried out? -- In any way, I may not have been in a position to account for that. I was no longer in the executive committee of the Soweto Civic Association.

Yes, that is the second point I want to make. On what basis can you say that this is only the personal view of (20) the person who wrote this? -- From my assessment of it.

And the call quoted here "Down with Community Councils. More houses. Low rents?" Was that not a call made by the Soweto Civic Association? -- I was not at this AGM. I do not know whether it was made by them.

No, but before that, before the conference, was that not the call made by the Soweto Civic Association? -- No.

COURT : These local authorities were no longer Community Councils. They were Black Local Authorities? -- Correct. The only problem is that the way I saw it and most of the (30) people/...

people saw it, they were not different from the other councils that were before them.

Well, was the idea not to create the picture that they were not different and therefore use the old name and not the new one? Why not call them by their proper name? -- As I say, I do not know what - but the fact of the matter is that the people have never seen these local authorities to be different from the others. Whether the name could have made any difference or not, is another thing.

MR HANEKOM : Turn to page 5 please of the same document.(10)
This is the speech of Dr Motlana. Page 5 the first column first paragraph "When in 1983 the government with fanfair introduced a new deal for urban Blacks under the misleading title of the Black Local Authorities Act, the Soweto Civic Association warned solemnly that the arrangement was a recipe for disaster. We refuse to participate under the new local authorities, because ..." and then the reasons are given. Do you see that? -- Yes, I see that.

Why does Dr Motlana say that the title of the Black Local Authorities was misleading? -- We have heard all (20) over the years that the government seemed to have been playing with names, whilst in substance there has never been a difference. What the Bantu Urban Councils were in terms of action, was not different from what the Community Councils were and hence, even in this case of the Black Local Authorities Act, people kept saying what would be the role of the West Rand, that is of the Administration Board or what would the role of the government be and people still saw no difference. It has been said over and over again that the powers for the fact that they were still (30) subject/...

subject to the Minister's approval, the fact of their inability to raise funds, these were the inabilities that were inherent in these local authorities ever since. So, the change of names has become a play, which the people have become fully aware of.

That was not the perception only of Dr Motlana but also that of the Soweto Civic Association?--Not even only of the Soweto Civic Association, but the majority of the people of Soweto.

And the reference to the warning that the implemen-(10) tation of this act was an arrangement or the arrangement of that was the recipe for disaster, what do you understand by that? -- That is will never solve the problems and if the problems are going to escalate, this is the sort of disaster that we are referring to. Today you go to Soweto, you walk along and you will find that what used to be a golf course today is full of the shacks. Which means the whole problem is escalating a recipe for disaster.

COURT : How would it have changed had there been a different local authority? Would there not have been an influx of (20) people too vast to control properly? -- We thought there would be better housing brought into effect. We would have perhaps even, like we say that the problems in Soweto would be difficult to solve under the apartheid laws, because we would have seen ourselves asking for more land, where more houses could be build.

Even if there is more land, where would the money for the houses come from? -- It comes once more into the whole situation that if the local authorities had the powers to raise funds, they would have to work hard and to create (30) areas/...

areas which would be rateable and that perhaps that in itself would generate whatever amount of money.

MR HANEKOM : Turn to page 9 of the same document, please.

In the middle of the page there is a heading "Regional representation." -- I see that.

The second column of that article, the first paragraph says "Thus the SCA calls on Soweto residents to continue rejecting and boycotting all present and future unrepresentative and undemocratic government structures and the individuals who serve in them. The AGM decided the SCA should(10) campaign for the resignation of all community councillors." Would you then agree with me that the campaign against the Black Local Authorities did not stop at the time of the elections, but it was an ongoing campaign?-- Not an ongoing campaign but at this AGM they decided to initiate it. It was initiated at this conference.

Before we leave this document, on the cover page of this document of V74 we see "A water shed in our history was that the theme of the conference ...". To what does that refer? -- No, that was not the theme of the conference.(20)

Well, what was the meaning of this then? What was the water shed in our history? -- I do not know what they had in mind, but the theme of the conference was education, houses, security and comfort for all.

MR BIZOS : I do not know whether Your Lordship noticed the faint letters on the banner behind the photograph. That is where the witness was reading from.

COURT : That is where the phrase is "Education, houses, security and comfort for all"? Is that what you are referring to?

(30)

MR BIZOS/...

MR BIZOS : That is the banner.

MR HANEKOM : I now want to refer you to EXHIBIT AM23 volume 2. This document was found in UDF offices Khotso House, Johannesburg. On top is written "SCA 1984" in pencil. Do you know this document? It says "Resolution that this meeting of the AGM of the Soweto Civic Association accepts ..." and so on. Is this a reference to resolutions taken on the Annual General Meeting of Soweto Civic Association just referred to? -- What page is counsel reading from?

First page. (10)

COURT : It has in the left-hand on top "Resolution", above that written in "SCA 1984". -- Oh, yes, I see that.

Repeat the question?

MR HANEKOM : It is written in in pencil "SCA 1984" and under "Resolution" it says that this meeting of the AGM of Soweto Civic Association accepts and then it carries on. What I am asking is, was this a resolution adopted on the Annual General Meeting of the Soweto Civic Association held on 1 December 1984? -- I have already said that I was not at this conference.

Can you explain how this document landed up in the (20) UDF offices in Khotso House, Johannesburg? -- I do not know.

I put it to you that in this document it reflects the resolutions that were adopted at that General Council Meeting on 1 December 1984?

MR BIZOS : General Council Meeting is going to introduce confusion.

MR HANEKOM : Annual General Meeting. Turn to page 4 please. "We find that this meeting therefore" and then point 3 "That the SCA should mount its campaign to ensure that (30) councillors/...

councillors should resign from these structures." Do you see that? -- I see the resolution.

So, that was a continuation of the campaign against the Black Local Authorities? -- Nothing reflects a continuation there.

Well, if it was not a continuation, then a new campaign started on that day? -- This was the resolution taken.

Will you please have a look at EXHIBIT C110 point 7 page 6. This document was found in UDF office Khotso House, Johannesburg and it is headed "UDF and the Black Local Authorities February 1985." On page 6 just above the heading "The response of the government" in the middle of the page we find that "The campaign resulted in the creation of new civic organisations for example Vaal Civic Association, Alexandra Civic Association and the strengthening of existing civics, for example the Soweto Civic Association." I put it to you that this is a reference to the fact that the Soweto Civic Association was involved in this campaign against the Black Local Authorities elections together with the UDF and other organisations? -- Well, that is the assessment, but(20) as I have said already, that the Soweto Civic Association went into a campaign against the election, but not an ongoing campaign against the Community Councils.

What do you say where the UDF claims that the campaign resulted in inter alia the strengthening of Soweto Civic Association? -- It is there opinion.

You can put down that document. I put it to you that the Soweto Civic Association actively participated in the planning and execution of a campaign against forced removals to organise, mobilise and politicise the people in Soweto (30) together/...

together with UDF and other organisations? -- The Soweto Civic Association had campaigned against the demolition of the shacks in Soweto. If we call that removals, I admit that Soweto got into that kind of a campaign, because in the absence of proper houses, the shacks gave people shelter which was the paramount issue at the time.

I only want to refer you to one document EXHIBIT N2. This was "UDF Transvaal minutes of General Council Meeting held on 10 December 1983" and we see under affiliates present was Soweto Civic Association. (10)

COURT : We have had that.

MR HANEKOM : Yes.

COURT : What is the point you are making?

MR HANEKOM : The point I am making is in paragraph 7.2. There is a reference to UDF's role in removals and relocation and I put it to you that Soweto Civic Association was part of this discussion and took part in the discussion taken here with regard to forced removals and relocation? -- I reject that proposition.

And on the same exhibit paragraph 7.3 "There was (20) military conscription." I put it to you that through the UDF the Soweto Civic Association took part in the discussion on the campaign against military conscription and they actually involved themselves in that campaign. -- I reject the averment.

I put it to you that the Soweto Civic Association actively participated in the planning and the execution of the campaign against repression to organise, politicise and mobilise the people in Soweto together with UDF and other organisations? -- I reject that. (30)

Will/...

Will you go back to EXHIBIT AM23 the resolutions page 5 and I put it to you that the Soweto Civic Association here adopted a resolution on the question of repression by the police and the South African Defence Force. You do not agree with me? Do you agree with me that the Soweto Civic Association campaigned against repression by the police and the South African Defence Force? -- Yes, taken from what is being so clearly put in that paragraph above, I think it was unavoidable for the Soweto Civic Association to take that stand. (10)

The numbered paragraph 2 says that the reason explosion of the people's anger in the townships is in no way a result of outside instigators or so-called terrorists, but the result of the unbearable conditions in which we find ourselves." What does that mean? -- I will repeat, I was not at this conference, but my impression would be reference to specific issues which were quite a problem and quite causing people difficulties and hardships. So, they are referring to that.

The people were organised and politicised around (20) those issues. Do you agree with me? -- Well, would have to be organised to rid themselves of such ills.

And it was only after they had been so organised and politicised that their anger exploded? -- Where people had been organised, we never - it is hard to talk of anger having exploded, because the whole norm of organising the people is to arrest the anger of the people, to channel it in a ordinary fashion, not in a manner that it could explode. So, I would find it hard to understand what he means there.

Well, I put it to you that the reference to the (30)
explosion/...

explosion of the people's anger is a referende to the rioting and all the bloodshed in the country from September 1984 onwards? -- I reject that proposition.

What do you then say? To what does this refer, the explosion of the people's anger in the townships? -- Well, if there were hardships people had to address themselves to their hardships.

COURT : How? -- In an organised fashion.

Does the explosion of the people's anger not refer to the violence we had since September 1984? -- I do not (10) know because at least up to the time of my detention we never had a violent explosion in Soweto. So, if I read this resolution in context, that is with reference to Soweto, I would find it hard to understand it.

If it refers only to Soweto, what explosion was there in Soweto? -- I do not know what explosion there was in Soweto.

MR HANEKOM : The last part of that resolution "Further the SCA should do all in its power to remove the armed forces from the townships for we have no intention of playing (20) football with our killers (army) and to establish any relationship with them." What does that mean? -- Well, the people who were dissatisfied and disturbed by the presence of the army in the township. I understand them to mean that let the government remove the army out of Soweto.

The resolution says "Let the SCA to all in its power to remove the armed forces." How would the Soweto Civic Association remove the armed forces? -- They would make representations to the army officials.

Is the army regarded as the killers of the people by (30)
the/...

the Soweto Civic Association? --I think they were talking with reference to what the army would have done, because there were cases which I may not be in a position to cite or there were allegations that people were shot, innocent people were shot by the army and so the army could not have been a friend of the people.

Can you give one example? -- I have said I am not able to do that.

I put it to you that those allegations were all made for the propaganda value of that? It was merely propaganda(10) and it had no factual basis? -- I reject that.

You cannot give us any instance or any example, how can you then reject it? -- I would find it difficult to say because I am unable to give numbers.

I put it to you that the Soweto Civic Association actively participated in the planning and the execution of the campaign around housing and in order to organise and politicise and mobilise the people in Soweto together with organisations like UDF and other affiliates of UDF? -- Independently the Soweto Civic Association organised around(20) the issue of housing long even before the formation of the UDF.

And I put it to you that they did not campaign independently but in conjunction with other organisations? -- I reject the averment.

Like the UDF. We find a resolution in that regard in AM23 page 2. It is a reference to the housing campaign. -- Yes, as this conference was said to be - as the theme of the conference read, you cannot talk of comfort and the rest without a shelter, without housing. So, the issue of (30) housing/...

housing was quite an important issue and this was not influenced by the UDF.

COURT : What was the price of a house at this time, that is in December 1984 in Soweto? These houses which were for sale? -- They were in the region of R6/8 000,00.

Was it not between R2 000,00 and R4 000,00? -- No, this is later when they reduced the prices. They have just recently reduced the prices to make buying attractive.

What is your house worth? -- My house is worth R16 000,00.

So, R6 000,00 to R8 000,00 would not be too expensive, (10) would it? -- It would be - it depended. I mean, a house of R6 000,00 to be bought by the aged who are pensioned, they would be unable to afford it. It would almost be impossible for them.

Pensioners would not be able to buy a house then, but generally speaking R6 000,00 to R8 000,00 would not be expensive for a house? -- I would not agree with this.

What do you say to the statement here that building society's interest simply is to make a profit? -- That is how it sounds. I have not gone into that of how they ... (20) (Court intervenes)

Is that your perception? -- You mean as it stands here?

That building society's only interest is to make a profit? -- I have not gone into that much as I had to borrow my loan from the West Rand Administration Board. So, I do not know the dealings of the building societies.

MR HANEKOM : What was the purchase price of your house? -- R16 000,00.

And I put it to you that the Soweto Civic Association (30) also/...

also involved themselves into a campaign around detentions together with other organisations and the UDF? What do you say to that? -- At what stage? Because in our minutes, I may not be able to say exactly where, with the first detention of Amos Masondo the Soweto Civic Association came out strongly on the question of detention and this before it could even be - it was even before it could affiliate to the UDF.

Do you refer to EXHIBIT AM23 page 6? It reads "On detentions, realising the desperate nature in which the (10) South African regime has worked itself into by refusing to adhere to the people's demands and has rather embarked on a continuous program of detentions of people in the cross section of our community, detentions of school children, youths, church ministers, mothers and activists. The AGM therefore (1) demands the unconditional release of all people in detention; (2) dissolve to continue to expose by any means available the harrowing experience of the victims of detentions and the inhuman methods of interrogation used by the police." -- Yes, I think it would be a (20) dull and insensitive community to keep quiet when people were subjected to detention as described in this paragraph. More especially as it seems that the situation was 1984 - I think I did refer, we have referred to that in one of our minutes where we find it difficult to continue discussion with COSAS on the question of the children to go back to school, because the entire leadership of COSAS was in detention.

This resolution as it stands, does not say for what purpose or what reason people were in detention and I put (30)

it/...

it to you that people were only detained when they actively came into revolt against the government? -- Reasons are never given for detention. That is why people have always campaigned that the State must charge or release detainees. It is only when they are charged that we would know the reason for detention.

I put it to you it is only activists that get detained, not the ordinary people in the street? -- It says mothers and activists.

MR BIZOS : Who decides who is innocent is the question. (10)
-- Yes, I think it is given there very clearly. The detention of school children, youths, church ministers, mothers and activists. It does not refer to activists only.

MR HANEKOM : Well, I put it to you it is only those people who were involved in boycott actions and in riots that were detained?

MR BIZOS : Is My Learned Friend going to refer to any evidence or is he going to produce any document or is Your Lordship going to allow us to call a couple of platoons of people to say they committed no offence, but they were (20) nevertheless detained and no offence was brought against them and some of them remained inside for nine months without a single question being asked of them? Is Your Lordship going to allow that evidence?

COURT : No.

MR BIZOS : Then in our respectful submission My Learned Friend must not defame a whole class of people without any evidence before Your Lordship and without any basis for it.

COURT : If you take this allegation, then you will have to be more specific and say well, which mothers were (30)
detained/...

detained and then you can deal with that, but then we would be here for ages, Mr Hanekom. What is the purpose of this?

MR HANEKOM : I will not take it further. In relation to EXHIBIT AM23 I want to put it to you that you said you were not certain whether these were the resolutions taken on that Annual General Meeting. If you compare this document AM23 with page 9 of EXHIBIT W75 will you agree with me that it is clearly the resolutions taken at that meeting? -- I am just saying I was not there and if we take it on the basis of what appears in the minutes or as they appear (10) here, I have no word to say, no comment to make.

I would deal with something else now.

COURT : Just a moment. Where is the reference at page 9 that I have to look at? It will be under detentions?

MR HANEKOM : The heading is "The SCA took many important decisions at the AGM. Issues on which resolutions were passed include the housing, health, bulk buying, detentions, pensions ..." and if one compares that with the resolutions it is clearly the same. On the question of the involvement of Soweto Civic Association in the so-called liberation (20) struggle, I want to put it to you that the Soweto Civic Association together with the UDF actively participated in the so-called liberation struggle and was active in its planning and its co-ordination and its execution. -- The Soweto Civic Association was a local body that had primarily to do with local issues. If it found itself involved in issues of national liberation struggle, it would just be in the nature of those problems which are consequent of the legislation, that is the apartheid legislation.

Well, what is the answer? Were you involved in the (30) struggle/...

struggle together with UDF or not? -- We were involved independently in the struggle to better the lives of the people of Soweto.

Was your interest not to work towards a system of one man one vote? Was that not the concern?--At Soweto level - at Soweto Civic Association level we were concerned with the issues at that level and if we campaigned against the kind of voting that was meaningless to us, invariably at long last the kind of voting that we wanted would be tied up with the voting for the central - that is in the central(10) government issues which of course as an individual I go for one man, one vote.

That is your view. Was that also the view of the Soweto Civic Association? -- The view of the Soweto Civic Association was primarily concerned with local issues.

Not with the system of one man one vote? -- Not with the system of one man one vote.

I put it to you that you are wrong in that. Please have a look at EXHIBIT W74 again page 5 the last paragraph on that page. This is the speech of Dr Motlana delivered (20) at the Annual General Meeting on 1 December 1984. He says "Ours is a simple demand. One man one vote in an undivided fatherland. Nothing else will restore peace in this land. Amandla." I put it to you this was the concern of the Soweto Civic Association? -- I do not know whether at that point he was referring to the Soweto Civic Association exclusively or he was referring to the demands of the Black people as a whole, but in action and otherwise, as I have said, it is true, the people having released that they vote they cast for the Community Councils is a meaningless (30) vote/...

vote. In the end they will seek a meaningful vote and the meaningful vote could always be discovered in the one man one vote system.

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Dr Motlana was speaking here in his capacity as president of the Soweto Civic Association. It clearly refers to the Soweto Civic Association? -- Yes, I am seeing that. I am saying that this would be an end result in terms of - as the people grow aware of the fact of the uselessness of the vote for the Community Councils or for the local councils, so that in the end for complete change or for complete (10) betterment of their lot there would be nothing else but one man one vote which can bring that wished desire most. That is a fair deal for themselves.

I put it to you that this was the ultimate goal in the struggle, that all the struggles work up to this one goal, a system of one man one vote in an undivided fatherland? -- Admittedly if we talk in terms of immediate goals and remote goals, that would come in that fashion.

It was for this goal, this ultimate goal that you were fighting in the Soweto Civic Association? -- In the Soweto (20) Civic Association we were immediately concerned with the suffering of the people.

Will you turn to the previous page, page 4 please the third column the second paragraph "Constitutionalisation of racism as ...". "I refer to the launching of the United Democratic Front in August 1983. The influence of youth, student, labour and community groups ready to join hands in a total onslaught against racism, apartheid and the denial of franchise to Black South Africans." I put it to you that the reference to UDF here is clearly an indication (30) that/...

that the Soweto Civic Association associated themselves and participated in the one liberation struggle." -- Yet, if I read that paragraph correctly, one would say there are organisations enumerated there and the Soweto Civic Association is prepared to co-operate with all of them, not specifically with UDF alone.

To which organisations are you now referring? -- He refers to them. That is the youth group, the student, the labour, community groups.

And they are all under the umbrella of the UDF? -- I(10) do not know.

And they all join hands in a total onslaught against racism and apartheid and a denial of franchise to Black South Africans? -- Well, if in quest of total change and meaningful change he comes to maintain, this cannot be done by one single organisation, if I read him well.

And I put it to you that it was part of the tactics of the Soweto Civic Association that people had to be organised and mobilised and politicised in order to engage the government and the government structures in the liberation (20) struggle? -- Not for that, but for effective involvement in whatever project or whatever task to better the lot of the people, it is very important for the Soweto Civic Association to be organised and to be very strong to meet and to answer whatever problem it shall encounter in the process of solving the lot of the people. That is in terms of solving the problems of the people.

I put it to you that the Soweto Civic Association made use of the so-called day to day issues, bread and butter issues, affecting the people to organise and mobilise and(30) politicise/...

politicise the people. What do you say to that? --. That is unavoidable. If a person is faced with a problem and he needs assistance from the people and possible associations around him, it is just important that that particular problem or that issue must be addressed to and will need to rally around to help that person. We said there is no small issue, that is for the oppressed people, because in the final analysis a person gets so morally crippled that he does not even know where to appeal to. It is in the light of this that we do not, we cannot speak in terms of a greater(10) issue or a smaller issue or a lesser issue.

The point I am putting to you is that this so-called day to day issues, whether big or small issues, but the issues were used as a tool to get the people to organise the people the issues, to mobilise them around those issues and to build up their anger? -- Realising that no issue can be typical to one person and be exclusive to one person, if an issue affects one today it will affect the other the following day and it is for this reason that the person that we help today, needs to be organised in order to (20) help the other man tomorrow, thus that issue enables people and the demands that people organise around that issue to help whoever may be a victim of that issue a year later or so. So, there is nothing synical in that.

And it all boils down to this that the people are mobilised and organised around those issues to engage the government in the end in the struggle? It is not merely to help each other, but it is to engage the government in the struggle. -- I am talking of the immediate need, the immediate demand of that issue. If later people in the process(30) of/...

of confronting that issue can realise where the problem lies and of themselves decide to confront the source of the problem is another matter.

I have quite a lot of references, but I will only refer you to one exhibit to show you how important the Soweto Civic Association regarded this organising around the so-called day to day issues and I am referring to EXHIBIT AM24. It is again a report of the workshop of Soweto Civic Association held on 8, 9 and 10 June 1984 page 9 the bottom half of the page "What do you think is the role of the civic organi- (10) sation? And the following are the responses to the above question. It is a mass organisation, it is an organisation of a broad cross section in the community. A civic organisation organises people around concrete day to day issues such as housing, health, township maintenance, et cetera." Do you agree with that? -- These are thoughts of the people at the seminar.

But you agree with that I take it?-- Yes, I agree with this idea.

"And it helps to organise people to see that they (20) have the ability to solve problems themselves." Do you also agree with that? -- Correct.

"It organises people to meet their needs." Do you agree with that? -- Correct.

"The civic has an educational and informative role in the community. For example teach people how to read metres so that they are not over charged. We are striving to build a nation and it is through our civics that we build the foundation, a grassroots foundation of that nation and then we can build our future government." That is where (30) leads/...

leads up to. -- But this is a common objective by any nation or any community to have a people with knowledge, to have a people's understanding, to have a people with a knowledge of decency, loyalty in defence of their own, that which they hold dear to and it is in the process of doing this, that we are building a nation that is a people responsible, a people answerable, a people who can be relied upon and this starts from the smallest community, that is from a family to a greater community, however you call it, up to a nation. This is how nations are built. (10)

How would the future government be built? -- We are saying in the final analysis people must have a say in the government, in the election of the government. Let it not later be said that people are given a government and they are unable to run it, the inefficient, they are corrupt, they are what not, but once they have been taught a sense of responsibility, this is how we build the people and this is how a government out of a sense, our of a community with a sense of responsibility becomes a very strong government of power amongst the nations. (20)

There is something written in in handwriting "To mobilise the masses around the oppressors at civil level into a mass action against it." What do you understand by that? -- To organise the people around their poverty, issues of poverty, issues of need.

The idea is to get the people to actively engage in the struggle? -- To actively uplift themselves.

Turn to the next page, page 10 please the second last paragraph "These organisations set themselves the task of organising our people around day to day issues which (30)
affected/...

affected them in a community civic attached(?) government and demanded better living conditions and houses, security and comfort, on the factory floor, workers organised for a living wage, decent working conditions and the right to join unions of their choice. Through this we learnt that our struggle for a better life in our communities was not separate from our struggle for higher wages. It was also not separate from our struggle against apartheid and against capitalist exploitation. It was part and parcel of our struggle for a free and democratic South Africa." So, do you agree, (10) you start with the small problems, the day to day problems and then it leads up to the broad struggle for liberation? -- Yes, I agree that you uplift people out of very desperate situation and as they develop realising their actual and potential talents, they will grow up into greater people.

Is it not also for uplifting their potential powers, not only their talents? -- Of course they are powered to get out of the rat of poverty in which they are, the rat of an unorganised and disorganised community. They must be helped out of that. (20)

Is the power not the power to eventually take over the government? -- I would rather say the power to eventually negotiate with the government.

Not to negotiate with the government. To take over power? -- To negotiate with the government. We are talking here as organisations that are involved in peaceful means and we have shown as we are reading our minutes here that we negotiated with people in authority.

Who were the people to negotiate with the government? -- Those that shall be chosen by the people. (30)

Not/...

Not the organised masses but the leaders in the organisations? -- I think to be very orderly, the masses will have to elect in a democratic fashion their own leaders who can negotiate with the government.

Well, if it was only the leaders who were to negotiate, why was it necessary to get the masses organised? -- Otherwise the leaders cannot be said to be elected.

Why not? -- Who will elect them if the people are not there?

Who elected you in the Soweto Civic Association? -- (10) I think I had referred to a meeting that was present right from the inception, right from the election of the Committee of Ten. The meeting where the people adopted the blueprint. The meeting that launched the civic association.

Well, once you were elected, you could negotiate with the government? Why was it necessary to get the masses in Soweto organised around daily issues? -- It was necessary because first I am elected to serve them and it is in the process of serving them that I would have to know that difficulties, I would have to know their hardships and then (20) get others to help us to solve those hardships. Once elected you do not remain an entity out of the masses of the people.

I am not clear now. How could the other people help you to solve your hardships? I am not clear now what your answer is? -- I think I have referred to issues like the housing problems, I have referred to issues like refuse removals, I have referred to issues like sewerage pipes bursting. I have referred to quite a number of issues which cannot be addressed to one single person. Like when we talk in terms of housing, when people are thrown out of houses, (30) when/...

when people's shacks are demolished, admittedly we shall need clothes to as many people as possible, to house those who have been left without shelter. So, not a single person can address himself to such needs of the people.

I think we are at cross purposes. My question is actually, why was it necessary to get the masses, the ordinary people in the townships organised for the leaders to negotiate with the government? Why could the leaders in the organisations not simply negotiate with the government without organising and mobilising the masses and politicising (10) the masses? -- Every time a leaders takes a very important and decisive step, he must go to the people and seek a fresh mandate. We have seen this with the Whites, when even before the tri-cameral parliament, they went on a referendum. The question would be why had P.W. Botha to go back to the people? Why could he not just have introduced the tri-cameral parliament?

I put it to you that there were people who could negotiate on behalf of the masses, the people in UDF, the people elected by the masses in UDF could negotiate with (20) the government. It was not necessary for you to mobilise and politicise and organise the people in Soweto as well? -- We are at cross purposes. I am talking in terms of the people of Soweto.

Well, what do you say to my suggestion that the people in UDF could represent you in negotiations with the government? -- Until I shall have affiliated, they could not represent me and I kept saying this, in all these documents I was represented. The SCA was there without a mandate from us. (30)

What/...

What would you say if I were to suggest to you that in the Soweto Civic Association you regarded the Black workers as the vanguard of the struggle? -- In fact, when we talk about the people of Soweto, we talk about the workers. So, they wake up every morning, you go to Soweto during the day, you would hardly find an able-bodied person except being on duty or being at work and this is what we mean by the workers. We have been pushed into the ghettos, we have been pushed into Soweto as workers and we would remain in Soweto within the urban areas as long as we are productive Bantus. (10)

COURT : What do you call a ghetto? What is your definition of a ghetto? -- My definition of a ghetto is a place - is a residential place that is in a squalid fashion, a squalid condition.

MR HANEKOM : Was your own house in such a condition? -- If I own a better house surrounded by squalid houses, it loses its value.

What is the answer? -- The answer is that it becomes a ghetto.

Still on this subject of negotiations with the government.

COURT : So, as far as you are concerned, a ghetto is equal? (20)
to a slum? -- A ghetto is equal to a slum.

All slums would be called ghettos? -- I would think so.

Would you say Lenasia is a ghetto? -- Part of Lenasia are ghettos but some areas in Lenasia are posh, almost what you might call middle-class areas.

So, you do not have a posh ghetto at Lenasia? -- A posh ghetto? -- Well, perhaps I would not say so, seeing that posh areas are far removed from the ghetto areas.

MR HANEKOM : I think it was on Thursday when we discussed (30)

EXHIBIT/...

EXHIBIT B6. You agreed that the people had to be their own liberators. Do you remember? -- Correct.

How do you reconcile that with your answer that the leaders, the people's leaders must negotiate? How does that tally, that on the one hand you say the people must be their own liberators and on the other hand you say that the leaders must negotiate with the government? -- People can delegate their own powers. Individuals can delegate their powers onto a person that they elect and the moment you are elected to act in the name of the people, you are no longer an individual. (10)

But you do agree that the people must actively participate in the struggle? They must become active, the people? -- They must become active. By the struggle here I mean to redeem themselves of their poverty and all that causes them that poverty.

WITNESS STANDS DOWN.

COURT ADJOURNS TILL 8 SEPTEMBER 1987.

COURT RESUMES ON 8 SEPTEMBER 1987.

THOMAS MADIKWE MANTHATA, still under oath

FURTHER CROSS-EXAMINATION BY MR HANEKOM : Mnr. Manthata, we were busy yesterday with the importance of organising the masses around day to day issues and we were busy with EXHIBIT AM24. Will you have a look at page 22 of AM24 please. -- Yes, I have got AM24.

From the first line "Today we know that change is certain, that change will come, but who is going to bring that change? Will it be you and me? Will it be a handful(10) of activists or will it be the masses? We must have faith in people in a vast majority of Black workers who are the most oppressed and exploited and will lead our struggle." So, that was the view in the Soweto Civic Association that the workers would lead the struggle. Do you agree? -- This was not our view. This was a view given forward in this seminar, but the Soweto Civic Association would have no problem with this kind of an idea.

And it continues "So, we must pay attention to the organisation of the working people, not only at work, but (20) also in the communities. Does it mean that because we who are the most oppressed that we will spontaneously take action and win our freedom? No, there is no shortcut. Only organisations can bring long term results." Do you agree with that, that that was the purpose of organising the people to in the end, in the long run obtain results? -- Yes, if we are talking in terms of the long run people can benefit out of the organisations, that is what we are having in mind.

It continues "Without organisations we will only see(30)
sporadic/...

sporadic and spontaneous outbursts that will fizzle out like a candle." What do you understand by that? -- Yes, when people are not organised, there will be all that kind of thing that people have not been organised and what happens is sort of spontaneous, response from the gut, and yet once they are organised people will live in hell, almost a vision of what they envisage five to ten years to come. So, all these possible uncalled for eruptions can be met and people can be so organised that such things will not necessarily happen., (10)

It says "We must therefore address the question of organising, educating and mobilising our people. This is the challenge facing us. We must take the politics to the masses, but not on our terms on their terms." What does that mean?-- Yes, by the politics they are talking about the problems of the people and the problems of the people can only be heard or we can only get to know the problems of the people once we are with the people and the people consistently discuss, debate on how they can go about such problems. That is why we are saying all these things (20) can be come in terms of the people, not on the terms of a few people in the leadership.

Do you say the problems of the people are termed politics? -- Of course, organising the people around their problems, getting involved in those problems, these are amongst the whole politics of the people.

Are the politics not the government policies and campaigns against the government policies? -- That may be included amongst that, but politics in this case has a far broader meaning. (30)

In/...

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In the middle of the page it says "Report back on the question why do we organise." The third point is to "Channel the discontent of the people." What do you understand by that? -- Yes, to channel the discontent of the people to rid them of bitterness, to rid them of the frustration, to channel them in such a manner that they can be used constructively, to gear them in such a manner that they can have positive results out of their problems. That is from tackling their problems, they can derive benefit out of that, other than when they are left alone and they are (10) a meddly of individuals who are filled with anger, filled with fear, filled with bitterness. This is what we want to rid our people of.

It does not say it is to rid the people of their discontent. It is to channel the discontent? -- Yes, the discontent must be channelled - with channelling here we refer to control of that.

When you say to control the people, I put it to you it is to take action against the government and government institutions? -- I reject that. (20)

The next point says "People are organised to raise consciousness." What do you understand by that? -- Yes, people have to be conscious of their situation. They have to be conscious of their environment. They have to be consious of their situations and it is only when they are conscious of their situations, be it a situation of poverty, be it a situation of whatever nature, then they would be in a position to understand why they have to organise themselves.

You say that the people must be conscious of their situation, their situation of oppression? -- They must be (30) conscious/...

conscious of their situation of poverty and once they learnt that, that will extend further to know what the cause of their poverty is, namely oppression.

And it is also important that they know who the oppressor is? -- They know in the process of discussion their problems, who the cause of their poverty is.

And it is also important that they should know who the enemy is, their enemy? -- Because if you have to solve your problem, you must know where the stumbling-block is, who the stumbling-block is. (10)

And it is important that the people have to identify the government as their enemy? -- They have to identify the problems and they have to identify the cause of their problems.

And once that is done, they must become active in the struggle against the government? -- It is going to be up to them, having discovered that, what action now have they to take.

It continues "To organise people around their daily problems," A reference again to the importance of organising round daily problems. Do you agree? -- I agree with that. (20)

And then it says "But also for long term political struggle." What do you understand by that? -- If politics is the source of their problems, then eventually they will have to grapple with the politics of their problems.

You say if politics are the problem, but what was the factual position in Soweto? -- The factual problem in Soweto is we are talking about their poverty. Children did not want to go to school and quite a number of other problems. (30)

And/...

And the long term political struggle, to what does that refer? -- The long term political struggle would be the struggle against apartheid.

To dismantle apartheid? With a view to dismantle apartheid in the end? -- But apartheid must be dismantled. Apartheid must be removed.

And it is important that the masses must actively participate in the dismantling of apartheid? Would you agree? -- If that is the problem for the masses, the masses must take part in that. (10)

Well, was it not a problem? You say if it was a problem? Was it not in fact a problem? -- Until the people tell us so, then we shall directly get into that, but at this stage we were still grappling with the day to day problems of the people.

COURT : Until the people tell you so, what would happen? -- We continue grappling with the problems that they are faced with.

Until they tell you to do what? -- I do not know what will they tell us what to do. (20)

But the people are not a faceless mass? They have leaders and you are one of the leaders. Is that not so? -- Correct.

So, it is not the people who tell you? It is you who tell the people? -- Now we are getting on to the question of the hen and the egg, who first comes with a proposition and who ... (Court intervenes)

Well, I always had it that in any group of people there are people who follow and people who lead. I always thought that natural and that when ideas generate normally (30)
the/...

the ideas are generated by the leaders or taken up by the leaders and propagated by the leaders. Is that not the society as you see it? -- I would say it is both, that is taking into account the fact that first the leadership has to be elected by the people, having discussed the problems with the people, perhaps the people having realised who the people who might be in a better position, who can be able to perhaps face the authorities, then the people can choose the leadership and once the leadership acts on the basis of the mandate of the people, I guess the leadership will (10) consistently or constantly have to go back to the people to re-assess whether the people are still standing on what they initially gave them as their mandate. I think that is how the government goes about. The government may even sometimes go to the country within a short space of time, because it wants a fresh mandate to tackle some of the basic problems that face the country.

MR HANEKOM : But the fact is, you, the leaders in the Soweto Civic Association decided and accepted to go to the people and to mobilise them around the issues and to politicise (20) them? -- We decided to go to the people to seek a fresh mandate, to go back to get to know what the people's perceptions are.

Well, it is not stated here that you were waiting for a fresh mandate from the people. That is never said.

MR BIZOS : That is not correct. In the middle of page 11 it says "This is the challenge facing us. We must take the politics to the masses, but not on our terms, but on their terms."

MR HANEKOM : Do you understand by this sentence just read (30) out/...

out to you that you must wait for a mandate from the people?

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-- We must consistently go back to the people.

Turn to page 12, please, on the top of the page, the report back on the question is our civic work political. The third point is "Our task is to fight bread and butter issues and to educate the people about how these problems are linked to politics." What do you understand by politics in this sense? -- In this sense I understand politics to mean how the people have to live decently in a well organised and well conducted manner and a manner that involves the (10) wills of the people.

I put it to you that the reference to politics is and in the light of your answer, that this can only be possible, your explanation can only be possible in a country where the people govern themselves? -- Even if they do not govern themselves and they are in quest of the power to govern themselves.

Well, it was propagated over and over and carried out to the people that they must govern themselves. Do you agree? --I reject that. (20)

Would you describe the Soweto Civic Association as a so-called progressive civic organisation? -- If we refer to bringing about better conditions to the people, promoting ways of better living and so on, this I would deem as a progressive method in terms of leading the people to a progressive style of living.

What do you say, how do you describe the Soweto Civic Association? -- In the light of that I would describe it as a progressive organisation.

At the bottom of the page, page 12 the question is (30) asked/...

asked "What is a progressive organisation?" It says "It is an organisation which fights for the rights of residents in the communities. It also defends residents against the tax on their living conditions." Was that done by the Soweto Civic Association? -- Of course, yes. As we have said that when the people fight or when the people are in opposition to the Community Councils, the Town Councils, that do not have powers to give the people their full rights, this I would see as a fight for the rights of the residents.

And it says "It is an organisation which fights for (10) better living conditions." Would you say that was done in the Soweto Civic Association? -- Yes, and I would be repeating myself.

Turn to page 13 please. "It is a people's organisation, an organisation which is for the people and by the people." What do you understand by that? -- I think I have already touched on that, that a people's organisation presupposes that any action that you have to involve yourself in or engage yourself in, must be an action that the people now of and have approved of and people are given - people are (20) in a position to give their full support on that action.

It is also a democratic people's organisation. Do you agree? -- Yes.

When it says "It is the people's right to have democratic control over the affairs of their organisation" what is meant? -- I think I have said that when we say we are dissatisfied with the councils as elected under the Black Local Authorities Act we fight against that simply because these people have not got the powers to answer. To give the people the full right in terms of running their (30) affairs/...

affairs successfully or progressively or to the welfare and the common good of everybody in that community.

Was the fact, was it not so that in fact those affairs that you have just mentioned were administered by the Black Local Authorities and not by the organisations of people?

-- No, we have said that the Black Local Authorities have had no powers and the Black Local Authorities, the manner it runs or it has to administer Soweto, would be very expensive if it has to depend largely on the rentals from the people.

Yes, but whether the Black Local Authorities had power (10) or not, in actual fact they ran the township? -- We have said in principle we endorsed the concept of local authorities. Only if they can be in a position to be - to fulfil the wishes of the people.

Do you want to say that the organisations, the people's organisations had to take over the affairs of the Black Local Authorities? -- I said no.

Well, it continues on page 13. It says "A progressive civic organisation builds people power and their belief that they can and will change things." What is meant by (20) that? What is meant by people's power? -- With people's power we mean once people are organised and they are able to identify their problem and they are in a position to solve that problem, this is how their power manifests itself.

How would the people solve the problems that you referred to and which problems do you refer to? -- I have already referred to the squalid conditions under which we in Soweto are living. I have referred to refuse that is left unremoved. I have referred to broken fences of the council houses that are left unmended. I have referred to council houses that (30) have/...

have not been renovated for years and yet people are expected to pay rental all the time. I have referred to bursting sewerage pipes which sent the stinks all over Soweto.

I have referred to problems with untarred streets, streets that have no robots, have no proper road signs and which lead people into endless accidents. I have referred even to the problems that we encounter with our children, both at thuggarism level and their problems at school which sometimes lead them into an open confrontation with the parents when they do not go to school. We have got a lot of (10) problems.

And how would people's power solve those problems? -- The people's power will address themselves - it will address itself to those problems.

COURT : How would it solve the broken sewerage pipes? -- As we have already said, that they will - first the people will have to campaign for a better and healthy local administration that can have funds, that can generate funds and then with those funds they can attend to those broken sewerage pipes. (20)

And until that is obtained? -- Until that is obtained we shall go on demanding or go on campaigning for better local administrative powers.

MR HANEKOM : And part of that campaign would be to get rid of the councillors? To call on the councillors to resign? -- Well, if they cannot fulfil what they have promised the people, I think it is all too moral for them to realise their incompetence. We have seen this world through where governments have not been able to fulfil their mandate, they have resigned and gone to the country. (30)

COURT/...

COURT : Do you accept that with inflation the cost of services goes up? -- We accept that. We shall cope with that.

And that you therefore would have to pay an increased rent as it is called which is actually a service charge? -- It does not have to be rental alone to run the Soweto situation. If we are looking at the rental only, admittedly we shall have to do that and this does not mean that it will be acceptable to the people.

Whether it is acceptable or not, it is a fact of life that we have inflation? How is it going to be solved? --(10) It should not be a fact of life that people must have as varied means of raising funds as possible, not only one source.

Well, there are lots of means of raising funds in Johannesburg, but still they have an increased service charge every year due to inflation. Now how do you solve that? -- Before we come to the increased cost of inflation, we must have the basic and say fine, this we are having and we need to increase certain issues, but without issues that can generate funds themselves, are we saying we are going to leave the people to discomfort the people perpetually, (20) when they do not even have any other means of generating income for themselves.

So, on the one hand you want the bursting sewerage pipes repaired and streets tarred and road signs put up and broken fences mended and on the other hand, you do not want to provide for inflation? -- On the other hand we are saying we are limited in terms of facilities to raise funds.

MR HANEKOM : It says "A progressive civic organisation develops our awareness of why we are oppressed and exploited." Was that important for the Soweto Civic Association (30)

to/

to develop such an awareness? -- In Soweto it becomes unavoidable because are moving between Soweto and the White suburbs and they are bound to draw parallels and which is different from that in the White suburbs, the question is why and how does it come about.

Did the Soweto Civic Association develop such an awareness amongst the people? -- It is not for the association to develop such an awareness. It is the problems that the people are faced with and as they solve those problems, as they grapple with those problems, the awareness develops, (10) the awareness manifests itself and it is at this point that the people will be raising such questions that will have the basic questions as to why are we treated thus as compared to other people.

I put it to you that it was one of the aims and one of the activities of the Soweto Civic Association to use the so-called bread and butter issues and day to day problems to develop such an awareness amongst the people?-- If we could be saying that they created those bread and butter problems or they create those day to day issues, then I (20) would agree with you, but I reject that proposition on the basis that we do not create those problems.

It says "Such an organisation develops the wheel of the residents to fight back." What is meant by that? -- That is to grapple with their problems. To try to solve those problems.

But what is meant by fight back? What must they fight? -- They must solve those problems, fight, solve and the solution here is not an easy one. Hence we talk in terms of fighting, but we will have to sort it out. (30)

COURT/...

COURT : But this is all generalisation. How do you fight back and say no to oppression and exploitation in our communities when dealing with broken sewerage pipes and council houses not prepared and that sort of thing? Untarred streets? Apart from big words, in practicalities, what do you intend to do? -- What we intend to do is to solve the people's problems and when apparently we are unable to solve their problems, the people will get to know where the problem actually lies and it is once they have discovered that, that the people will say it is time for the leadership to negotiate with the government to solve these problems. (10)

MR HANEKOM : It says such an organisation develops leadership of the people. What do you mean by that? -- The leadership that is elected or chosen by the people.

And it must be a training ground to develop new people and to draw them into the struggle? What struggle is referred to? -- The struggle is for the betterment of their lot.

But how would they be able to better their lot? -- That were they find themselves unable to solve their problems and they have identified the problem, then the people will say (20) to the people they have elected "Go and talk to the people in authority, who do not give us adequate means to grapple with these problems, to solve these problems.

COURT : Did you go and talk to the people in authority about the broken fences, refuse removals, squalid conditions, council houses not renovated, bursting sewerage pipes, untarred streets and improper road signs? -- I think I have just instanced in our meeting that we have spoken to the people in authority. I have cited issues like electricity, issues like the rental, issues like the shacks, all these - one (30)

was/...

was just citing issues which were of immediate concern.-

But did you take up the untarred streets and the improper road signs and the bursting sewerage pipes? -- These were such common day issues that people talk about that it could have - it did not mean that if people do not address themselves to these issues, therefore we have ignored these issues or these issues are non-existent. Yes, we did not. This is part of the campaign.

But why not? Why did you not go and talk to the authorities? -- Because they were not immediate things (10) compared to the hunger, that the poverty that the people were faced with.

Well, what did you tell the authorities about the hunger and the poverty? -- That the rental is too high.

That the rental is too high? -- Yes. That the electricity bills are too high.

And the answer us "Well, we cannot provide the services for less"? -- We go on, but we consistently tell them so.

But now, where does it bring anybody? It is a fact of life that these things are expensive? -- We do not deny (20) the fact that they are expensive, but the fact is, we must keep talking about them and as I have said, the problem is, people have since realised that the manner in which we are handicapped in terms of raising funds, may not lead us or it may not even give us the basics from which to say we are capable of doing A, B, C, D and we need this and the other, but we are just saying that we need the rights, we need the autonomy, or we need the power to raise funds in a way that any civilised community does. If the Whites in the White suburbs have diverse means of raising funds, to run their (30) own/...

own suburbs, why do we not have such powers too?

MR HANEKOM : I put it to you that in your struggle, you inter alia incited the people not to pay rents or not to pay the increased rents? -- In Soweto we told people to suspend paying the increase as long as the case was on. This was in 1980. Only after the case and after the courts shall have decided, shall we pay the increase.

So, instead of giving money to solve the problems, you withheld money. So, in effect then, the problems could not be addressed? You made it impossible for the local authorities to improve the conditions? -- The rent increase in itself was a problem and we sought redress. It was for this reason that we went to the Courts of the land to ask whether it is proper in the light of the situations given. (10)

Was that a form of disobedience? -- That was not disobedience. I do not think a person who disobeys can go to the court.

Under item B on the same page it says "How do we organise?" and the fourth point is "Organise people around the day to day issues and problems which affect them. No issue is too small to be taken up if we make gains from it." (20) What is meant by that? No issue is too small to be taken up if we make gains from it? -- Anything that the people are dissatisfied with. We cannot call it a non-issue.

And the last part of the statement "if we make gains from it"? -- That is the gains for organising the people. People need to be organised and that in itself is an effort and once you have achieved that, it is a gain in itself.

Was that done to get the people to unite and to follow the leadership of the Soweto Civic Association? -- That (30)

was/...

was done primarily to solve the problem of the people.

To get the people united? -- To get the people united around their problems.

And to follow the leaders in the Soweto Civic Association? To follow that leadership? -- Well, if through that they can give the people a mandate then that is correct, that the people are carrying the mandate. Therefore the people are having a proper leadership.

And the next point says "Small victories or gains, even small successful projects can build confidence and a will (10) to fight on." What is meant by the will to fight on in this sense? -- The will to fight on, in short means once people have realised that they can - they have achieved something - once people can realised that they have solved one problem, this gives them the confidence to tackle yet another problem which might even be greater than the one they have solved.

Please turn to page 14 the second point on that page. It says "We built powers step by step, street by street, area by area and then only can be say that the civic organisation is a mass based organisation." What is meant by that?(20) -- Yes, it means that to organise the people to be in a position to address themselves to their problems, they need - we need to have the people first from a very limited number organised around whatever problem, that is be it a street, be it a problem that faces just one or two houses and then if they can solve that problem, then it goes further that they can even involve a greater community be it at an area level and then this is how an organisation is build and this is how we can eventually talk about a healthy civic association that stands for the people. (30)

The/...

The second last sentence in E says "We believe that only through unity of our people in struggle through organisation can we go forward." Can you explain that? -- Yes, can we go forward in terms of improving our area, improving our lives.

I put it to you that what was conveyed to the people was that as a mass, they got the power to take on the government in direct action. That is meant by the building of power that we have just referred to? -- We have never done that in Soweto. In Soweto we have always negotiated with (10) the authorities where it was possible and this is how we have run Soweto as the Soweto Civic Association.

Do you say there were no uprisings, no turmoil in Soweto especially during the year 1984? -- The only problem, we have had was with the students who for various reasons did not want to go to school. But otherwise, problems besides that, we did not have in 1984.

We will come back to that. Please turn to page 15 of the same document. The second paragraph says "Although a civic organisation is a first level organisation, it can (20) and must make the political links. For instance a civic organisation can give meet to our ideal of a democratic South Africa." What is meant by that? -- What is meant by those two lines? Or those two sentences?

Yes. -- Well, I think it is a good assessment of what the Soweto Civic Association is and here the civic association as he puts it is not a political organisation. It can only, if it so wishes and perhaps this person motivates very strongly, he says it must, but the decision will eventually come from the civic association itself, whether to do so (30)

or/...

or not. As he puts it, for instance a civic organisation can give meet to our ideal of a democratic South Africa.

Now how would that be possible? -- Well, I mean, if people are able to exercise a democratic right to elect people of their choice at local level and can even exercise the same democratic right to elect people at national government level, then this is what we are meaning. Once the people down the ladder, the grassroots do understand what is involved in their country and they support what the country needs, this is what it means, that we can then (10) have an ideal democratic South Africa.

The last two sentences of that same paragraph says "The civic can play a vital role in unifying our people at a local level. This unity will be forced in struggle." What do you mean by that? This unity will be forced in struggle? -- That means you cannot just sit back and cry unity, unity. The unity can only be realised once people are able to face the problems and they struggle to solve those problems, more so if those problems have something to do with the betterment of their lives. (20)

Is not what is meant simply this that the civic is an important body in mobilising the people to engage the government in conflict? -- No.

Well, I put it to you that the crux of the whole matter is contained in the last sentence on this page where it says "Today we fight for bread, tomorrow for the gold and then for freedom for all." -- Well, that is the vision of this person and that is, what I understand him to mean is we fight or we struggle for better conditions, better living standards of the people and once people understand how (30)

all/...

all these things come about, then they can be in a position to exercise their vote. It is only when they have a vote that they can be able to use that vote correctly in terms of a country which has or offers freedom to all people.

Well, I put it to you that this was not the view of one person who wrote this report. It was the view in the Soweto Civic Association? This was a report of the Soweto Civic Association? -- The Soweto Civic Association has not yet resolved on what to take from this seminar. This was just a thinktank situation and we had all the right to (10) think and conceive whatever kind of country we envisage.

Leave the seminar aside. I put it to you that this was the position in the Soweto Civic Association that the whole struggle was for a vote, one man one vote and for freedom for all. That was what the struggle was about? -- The Soweto Civic Association had not yet started addressing itself to the national vote, but we are saying we are preparing the people for that kind of a vote, that is people with understanding, people with loyalty, people who are decent and capable to learn with a fair knowledge to understand what is meant with regard to the government of their country, that all people be free in their country. (20)

And you say in the Soweto Civic Association you were busy preparing the people for that? -- In the final instance that is what I mean. We say once the people appreciate all those things and they know that those are the basics, the whole world through for any human kind, then the people of Soweto would be in a position to understand what is taking place.

On this question on the importance of mobilising and (30) organising/...

organising the people around day to day issues, please have a look at EXHIBIT W74.

COURT : Are you and the witness not ad idem on this score?

MR HANEKOM : Yes, I think he agreed to that.

COURT : Well, I am not sure of it. You can determine whether you agree or not, but it is no good going through a thousand documents and then finding eventually that you agreed all along.

MR HANEKOM : I will leave this exhibit aside. I will not refer EXHIBIT W74 at this point. I said that we would come (10) back to your answer that there was no violence and no turmoil in Soweto in 1984. You said there was only the student problem? -- We had the student problem.

And that was with reference only to the school boycotts we have dealt with? -- That is right. That is what I know to have been the problem in Soweto.

COURT : Could I just get clarity what you mean by the student problem. Do you mean they just stayed away from classes or do you mean that schools were damaged and there was some violence? -- There were school boycotts. Some of the schools (20) were closed down by the government. I think those were the main issues and of course the detention of the children of the students, that is the students who found themselves being victimised even whilst at school, that is in school premises, so that those were the major problems that we had around students at that time, around the schooling issue.

ASSESSOR (MR KRUGEL) : Are you saying that there was no destruction at the schools, no violence at the schools? -- Not to my knowledge.

MR HANEKOM : I put it to you that there were incidents of (30) violence/...

violence in Soweto during 1984 and I put it to you that the house of the mayor of Deep Meadow Mr Mahuhushi was burnt down during 1984? -- Yes. What was the problem?

I say that there was violence? -- Violence of what nature. I mean we have had vandals and we have had discontented people who would just go and blast a person's house off and which did not necessarily mean that the whole area is engulfed in an unrest.

Was Mr Mahuhushi's house burnt down in 1984 or not? -- It is possible. (10)

You cannot deny it? -- I cannot deny it, but this does not mean there was unrest in Soweto that involved such things. Mahuhushi could not identify any single organisation or individuals who could have done that.

How do you know that? -- It came out in the press.

And I put it to you that the house of another town councillor in Soweto, the house of Patrick Gaboutloeloe was petrol-bombed during 1984 as well? -- Patrick Gaboutloeloe's house was bombed I think it could have been the second time that time and this did not mean unrest. I think Patrick (20) Gaboutloeloe has had problems with whoever that could have been, but this did not involve, this did not mean that there was unrest in Soweto that centred around the persons or the properties of the people of the Community Councils.

COURT : How many houses have to be burnt before you say there is unrest in a township? -- When we talk of unrest, unrest just erupts and it becomes a public talk and these are things that can be seen publicly, but in a situation of calm and peace, there can be some accidents of this nature happening and this we cannot say signifying the unrest. (30)

MR HANEKOM/...

MR HANEKOM : In this regard I also want to refer you to EXHIBIT J2.

ASSESSOR (MR KRUGEL) : What do you say can be termed as sporadic or spontaneous outbursts that will fizzle out like a candle if people are not organised? -- I am not quite knowledgeable of what is referred to in terms of such things, but it does happen that we do have disturbances, that sometimes people do not know what the route course was and sometimes even if the route course is known, perhaps it can be addressed to immediately and then there is quite once more. (10) That is they are not based on what you might call a long term objective.

I do have problems to attach meaning to what is meant here on page 11. It was one of the questions you have answered before. You know, in the history of Soweto for instance, we did have what can be termed as an outburst in 1976 and one is apt, or one is drawn rather to view the word outburst and spontaneous or sporadic outburst in that type of light. unless there is some other meaning that you can attach to this. -- I would agree with you on that. (20)

MR HANEKOM : EXHIBIT J2 page 2 on the top of the page it says "Crisis in areas like the Vaal, Tembisa and Soweto erupted. No quick UDF response came out." What was the crisis that erupted in the Vaal? -- I do not know what crisis erupted in the Vaal.

Is this not a reference to the violence on 3 September and afterwards? -- Most possibly.

And in the same sentence it says "Crisis in areas like the Vaal, Tembisa and Soweto erupted." What crisis in Soweto erupted during that time? -- I have referred to that. That (30) is/...

is the student problem, the schooling problem.

MR BIZOS : Is the date established in relation to this document? We cannot see any date.

COURT : I do not have a date. What is the date of this document, Mr Hanekom?

MR HANEKOM : It is a Secretarial Report and it is filed with EXHIBIT J1 the secretarial report of that meeting.

COURT : Of what meeting? Of J1?

MR HANEKOM : Yes. The National Executive Committee meeting on 10 and 11 November 1984. (10)

COURT : Well, what was agreed as far as this document was concerned? What was the admission?

MR HANEKOM : It was only admitted that this document was found in the UDF offices in Johannesburg.

COURT : Take it that this document was written during the latter part of 1984 or possibly the beginning of 1985.

MR HANEKOM : Do you know of any violence that erupted in Tembisa? -- I think it talks of crisis. Not violence.

Yes, but I ask you, do you know of any violence that erupted in Tembisa? -- I said in Tembisa I do not know. (20)
I am sorry.

Would you have a look at EXHIBIT W70 volume 12. It is the Speak newspaper of November 1984 and it was found in the offices of Grass Roots in Cape Town. Page 6. I put it to you that this was the message that was conveyed to the people and carried out to the community in November 1984 about the situation countrywide. It says "Today thousands of pupils are on boycott demanding their education rights." That was the position in Soweto. -- Yes, if it refers to the class boycott crisis. (30)

And/...

And it says "Entire community (indistinct) rent increases." Was that the position in Soweto? -- No, not in Soweto at that time.

"More and more workers downed tools for higher wages and better working conditions. Community councillors resigned daily and massive stay-aways shake the government." -- Not in Soweto. .

Was there not a stay-away on 5 and 6 November 1984 in Soweto? -- Let counsel be specific, because I was already addressing myself here to councillors resigned and so on. (10)

Yes, but it also says councillors resigned daily and massive stay-aways shake the government. I am asking you, was there not a stay-away on 5 and 6 ...-- I remember there were two stay-aways in 1984.

Did councillors resign?

COURT : The question was, was there on 5 and 6 November a stay-away in Soweto? -- Yes.

MR HANEKOM : Did councillors resign in Soweto? -- No, not that I remember of. Not that I know of.

"Bannings and bullets, army and police, teargas and (20) sjamboks, dogs and detentions, fail to stop the growing wave of resistance." Is that a description of what happened in Soweto during that time? -- Yes, I think I have said already that at certain schools the police found themselves at a collision course(?) with the students. All these things could have happened.

It says "South Africa is in a state of civil war." Would you say or what do you say to that? Was that the position in November 1984? -- Countrywide or with regard to Soweto?

Soweto as well as countrywide? --No, not in Soweto. (30)

And/...

And countrywide? -- I do not know.

"When the government first introduced its new constitution, its new parliament and its Community Councils it talked of change for the better. This is the only way to ensure peace, progress and stability, he said. Yet South Africa has never more been racked by such turmoil." Which turmoil is referred to here? Where? -- I would refer to the students' situation as a turmoil.

And countrywide? -- I do not know.

Do you say you do not know about the uprisings and (10) the violence in the Vaal in September 1984? -- I did not see them as a threat to the country.

And it says "Democratic organisations of the people long warned that implementing the new constitution against the will of the people will only cause greater strife and conflict in our country." Was that also the warning issued by the Soweto Civic Association? -- Most possibly, because if the government could not listen or attend sympathetically to the requests of the people or they responded the way they did, that is by shooting the people who are going to nego- (20) tiate with the government, perhaps that is what he might be referring to.

It continues "Who today can deny this truth?" So, it is put forward as a truth that there was strife and conflict in the country during that time. Do you agree? -- I have no way of testing whether that is true or not.

And it says "The townships are burning, not because of instigators and agitators, but because the minority government stubbornly holds onto its undemocratic rule through brute force." Do you agree with that that that was the (30) position/...

position in 1984? -- That is his viewpoint.

Yes, but I am asking you. Do you agree with him or not? -- I would find it difficult to agree with him. As I have said, I did not know the position countrywide.

Did you know of townships that were burning? -- I knew of townships that had unrests and I thought that the government had addressed itself to the situation.

I want to put it to you that it was of very great importance to the Soweto Civic Association to involve the youth in alliance with the Soweto Civic Association to engage (10) the government in this so-called freedom struggle? What do you say to that? -- I reject that proposition.

And I put it to you that the masses, the youth and the people in the Soweto Civic Association envisaged a violent struggle against the government? -- I reject that proposition.

In the first instance Dr Motlana, your leader in the Soweto Civic Association urged the youth in SOYCO, the Soweto Youth Congress, to associate themselves with the UDF, with the Anti-Community Councils Committee and with the (20) Soweto Civic Association and that was done on the inauguration meeting of SOYCO in Dobsonville on 31 July 1983. -- Was it in Dobsonville?

Yes, I put it to you that it was. I will just find the exhibit. It is V25.

COURT : It was in Dube? -- It was in Dube, YWCA centre.

MR HANEKOM : I made a mistake. But you know to which meeting I am referring, the inauguration meeting of SOYCO on 31 July 1983. What do you say to my statement that Dr Motlana urged the youth in SOYCO to associate themselves with the (30)

UDF/...

UDF, with the Anti-Community Councils Committee and with the Soweto Civic Association -- Yes, that he did.

And it was not only SOYCO, the youth belonging to SOYCO that was present on that meeting, but also youth from COSAS and AZASO. So, they were urged as well? -- I was not at that meeting. I do not know the constitution of that meeting.

And Dr Motlana urged the youth on that meeting to actively participate in the struggle with the Soweto Civic Association. Do you agree? -- I agree that he said so. (10)

And the reference to that is in EXHIBIT V25 pages 19 and 20. Seeing that you agree with me, I am not going to read out the portions. Would you agree that Dr Motlana also ... (Mr Bizos intervenes)

MR BIZOS : If the witness was not at the meeting, what is Your Lordship going to rely on if in fact we submit to Your Lordship that it does not say so? I am not saying, we have not got it in front of us ... (Court intervenes)

COURT : Whatever the witness says, makes no difference to me. He was not there. I do not know why he is asked. (20) You can put it to him and when you have put it, say that is what I see from the transcript and therefore I draw the following conclusion in respect of the SCA. That is a different matter and if what you say is wrong, well, then it is wrong, but it is no good to have the witness go through a transcript of a meeting that he did not attend. It cannot influence me either way.

WITNESS STANDS DOWN.

COURT ADJOURNS.

COURT RESUMES.

THOMAS/...

THOMAS MADIKWE MANTHATA, still under oath

FURTHER CROSS-EXAMINATION BY MR HANEKOM : Mr Manthata, I put it to you that it was the perception in the Soweto Civic Association as conveyed by Dr Motlana on this inauguration meeting of SOYCO that the youth had to take their example from the militance of the ANC Youth League and that the implication was that they had to involve in a violent struggle?

MR BIZOS : Is there evidence that there was a youth league in the ANC after it went over to violence? I would be very surprised if there is and I am almost able to give Your (10) Lordship the assurance that there is no such evidence. The youth league referred to was from 1948 onwards on the documents. Dr Motlana and others were on it.

MR HANEKOM : I want to refer the witness then to certain portions of Dr Motlana's speech on this occasion when he referred to the militancy, the role of militancy in the youth league.

COURT : What do you understand by militancy? That does not mean militarism?

MR HANEKOM : No, that is clearly not so. It was not (20) enough to be passive. They had to be militant in their struggle against the government.

COURT : Yes, but you went one further. You said violent?

MR HANEKOM : That is the inference that I draw from this speech of Dr Motlana that one can read into that that he urged the youth that the struggle was actually a violent struggle.

COURT : Well, let us have the passage first.

MR HANEKOM : V25 page 12. Dr Motlana is the speaker and he starts his speech by saying "Honoured guests, sons and (30) daughters/...

daughters of Africa, I feel much very honoured this morning to have been asked by this promising young men to be delivered by all these midwives to be the guest speaker, to open discussion and to introduce this idea of a youth congress in Soweto. That in fact such a plant has already taken root in different areas of our country and in drawing your attention to the history of youth league." On the bottom of that page he gives the history of the youth league. We must read this in conjunction with the passage on page 13, the middle passage "We must ask ourselves at this juncture why the youth (10) league was formed and because it bears some relevance in today's events and why today we feel the need to form youth movements throughout the country. The immediate task of the youth league was to mobilise and consolidate the youth and to fight the passiveness of the ANC of the older generation." My submission is in that passage the youths are urged to take their example from the youth league and to fight the passiveness. That means to become active in the struggle.

COURT : Very well, that is what you put. Do you have an (20) answer or do you want to comment on that statement? -- I have no comment on that statement.

MR HANEKOM : I will leave this exhibit at this. Did you attend in Khotso House on 22 September 1983 a solidarity meeting with SAAWU and the people of Ciskei? -- I did not.

Did you attend a meeting in Khotso House Johannesburg on 3 November 1983, that was a UDF/AZASO protest meeting in respect of the students killed at Ngoya University? -- I did not.

What I want to put to you in conclusion on this issue (30)

of/...

of the liberation struggle is that the ultimate aim in the struggle was for the taking over of power. That was the ultimate aim in the struggle that the Soweto Civic Association involved itself in. -- I reject that proposition.

I just want to refer to three portions or three passages. AM24 again page 9 the last sentence on that page where it says "And it is through our civics that we build the foundation, a grass roots foundation of that nation and then we can build our future government." That can only be done when the power is taken over, I put it to you? -- No, that is (10) not so.

And the passage that I have already referred you to at page 15 the last line "Today we fight for bread, tomorrow for the vote and then for freedom for all. That is the ultimate aim in the struggle." -- Yes, that refers to the struggle of the people. If the struggle means to eventually give the people the comfort and the sound lifestyle for the people, that is what we mean there.

And I have referred you yesterday to EXHIBIT W74 where Dr Motlana said on page 5 that "Ours is a simple demand. (20) One man one vote in an undivided fatherland. Nothing else will restore peace in this land." I put it to you that that only refers to one thing and that is the taking over of power. -- It does not say that. It does not refer to that. COURT : But it does take the SCA outside the narrow ambit of a civic? -- I have said that the main ambit of the Soweto Civic Association is to operate at local level, to ensure the welfare and the wellbeing of the people in Soweto, but in the process of providing these to the people, it will make the people aware of the causes of their problems, that (30) is/...

is where the problems actually lie and in the final instance they may find themselves having to mandate their leadership to go to where they consider the seed of the problem to negotiate for the solution of their problems.

Lastly I would like to refer you to EXHIBIT AU7. Just before I refer to that, I put it to you that these words of Dr Motlana that we have just had, nothing else will restore peace in this land, is a reference to the fact that there will be no peace and that accepts the fact in principle that the struggle will be a violent one. -- No, it does (10) not mean that.

Well, what is the reference then to nothing else will restore peace? -- That the people will continue in an effort to solve their problems and if the solution to their problems is not a simple one, they are over demanding, the people will not stop from that. They will go on struggling to get solutions for their problems.

But why then a reference to peace? That peace will not be restored? -- Where the people suffer, where the people are deprived of just a fair standard of life, one (20) wonders whether that in itself is not the absence of peace.

Well, have a look then at AU7 page 6 in the second column on the bottom of the page. Before I refer you to that passage, AU7 is a Speak newspaper of January 1984. It was found in the possession of accused no. 5. There it says "Vaal civic body formed." The last paragraph there says "A guest speaker at the meeting that was the meeting of the Vaal Civic - where the Vaal Civic Association was formed "Dr Motlana of the Soweto Civic Association said that the new councils were not fully fledged municipalities. We are interested in power, (30)

he/...

he said, not a platform just to air grievances. We want power to vote to make the laws of this country and to administer this country." I put it to you this is a reference to what the true nature of the struggle is that it is for taking over of power. Only then will the so-called oppressed people be able to make the laws of this country and to administer this country. -- Is there anywhere where Motlana says we are going to take power?

No, but I say this is a reference to that, where he says we want power to vote, to make the laws of this country and to administer this country. It is true for all these centuries that people have been struggling. To others it has already dawned that it is the lack of the meaningful vote that leaves us where we are, that is in a state of poverty, in the state of oppression and therefore we need the vote. (10)

And I put it to you that this is the crux of what the struggle that wage in the Soweto Civic Association was about? -- That is not the crux. I said up to an extent that it is involved. (20)

I will call it the ultimate goal then? -- Well, if eventually the people say we must ask for that, that becomes part of the problems that we are struggling with, that would form the grass roots level.

COURT : Put otherwise. Is this not your ultimate solution? Do you see any other solution? -- Yes, this of course becomes the ultimate solution to our problems, that is a vote, a meaningful vote.

MR HANEKOM : I lastly want to put it to you in this regard where Dr Motlana said in W74 that nothing else will restore peace/... (30)

peace in this land, he is referring to the violent uprisings and the burnings countrywide during that time in 1974? -- I reject that proposition.

COURT : When you jump around, Mr Hanekom, you make it very difficult for us, because you now refer to a document which we have put aside. If I want to check what you are saying I will have to take up the document again. When you deal with a document, deal with it and then put it aside.

MR HANEKOM : I will do so.

COURT : And what is more, it does not only make it diffi-(10)
cult for me. It makes it very difficult for the witness, because he also does not have the document.

MR HANEKOM : I turn to something else now and I want to refer you to a few documents in general. The first one is EXHIBIT C16. This was found in the UDF offices Johannesburg. It is document headed "State of Soweto Civic Association." Do you have it? -- Yes, I have it.

ASSESSOR (MR KRUGEL) : Is not C16 also found elsewhere in the exhibits, Mr Hanekom?

MR HANEKOM : Not that I know of. (20)

ASSESSOR (MR KRUGEL) : Under another number?

MR HANEKOM : I do not think so. I have no reference to that.

MR BIZOS : It was referred to by Mr Molefe, the previous witness.

COURT : He drafted it?

MR BIZOS : He drafted it.

MR HANEKOM : Do you know anything about this document? -- I know nothing about this document.

Have you seen it before? -- I have not seen it before. I saw it when we were preparing for this trial. (30)

Accused/...

Accused no.19 testified that he drafted this document. Why was he asked to draft this document? Or let me put it this way first of all. Was he asked by the Soweto Civic Association to draft this document? -- No.

I put it to you that what is contained in this document correctly reflects the views and policy of the Soweto Civic Association and we will go through this document now. It says "The period 1979 and 1980 saw great activities by the Soweto Civic Association resulting in one of the highest levels of mobilisation ever in Soweto." Do you agree with(10) that? -- I do not know how a person perhaps outside would see that.

No, but I am asking you, what do you say? -- I do not remember having reached the highest level of mobilisation.

It continues "The 1980 rent increase in particular provided enough basis for greater mobilisation and confrontation for the authorities, i.e. Koornhof and Tebehali." Was that factual correct? -- I know that we took the matter to court, that is the rent increase matter and that when Piet Koornhof had to come to Soweto to receive the honour(20) of being the first citizen of Soweto or whatever they call it, the people wanted to present to him their grievances.

What do you say about the statement that the rent increase provided enough basis for a greater mobilisation and confrontation with the authorities? -- I would find it difficult to understand that. As I said we took the matter to court.

I put it to you that accused no. 19 was a member of the Soweto Civic Association and this is how he described the situation in the Soweto Civic Association during that time.(30)

Do/...

Do you differ from it? -- We never banned people from expressing their views.

Yes, but I am asking you, do you agree with accused no. 19 or do you differ from him? -- I have already said that today I do not even remember the Soweto Civic Association ever reaching the level that we might call the highest level, (b) I do not remember - when we took the rent increase issue to Court, I did not see that as a confrontation in the matter and when people wanted to see and to speak to Dr Koornhof I did not see that as confrontation. (10)

So, this is a wrong statement by accused no. 19? -- It is his viewpoint.

And it says "Virtually thousands of people stayed away from work and march on the Soweto Council to confront Koornhof and Tebehali and to present the petition to protest the increase on rentals 1980." Is that correct? -- Yes, I have already said that people wanted to present their grievances to Koornhof.

The next paragraph says "The Soweto Civic Association was the talk of the townships. Thousands of people took (20) up membership of SCA and responded positively to all its meetings." Is that correct? -- I would find it difficult with the thousands in terms of numbers, but it is true people talked about the Soweto Civic Association and people came for the membership of the Soweto Civic Association.

"The name of its chair person Mothata Motlana became a household name. People were just ready to do anything that the SCA through its chair person would ask them to do." What do you say about that statement? -- That is his viewpoint. That is his assessment of his observation of how (30)

the/...

the situation was or the response of the people.

COURT : You are actually asked about your viewpoint.

We know that his viewpoint is on paper here in front of us.

-- I have no comment on that.

Do you agree or disagree? -- I would not disagree with that.

MR HANEKOM : "But after the 1980 rent boycott and the court action that failed to achieve any results, we saw the SCA losing more and more support. Branches became lesser and lesser active to the extent that many died. Those that (10) remained had no programs, no skilled people and a very few experienced people in leadership positions." Is that correct?

-- It is correct that at a certain stage the Soweto Civic Association had very few people committed to action and people were generally apathetic and were not attending meetings. So, this assessment is correct along that line.

It continues "In time most of them thought the SCA had completed its circle. They could no longer take the work of SCA forward. They needed skills, knowledge, training and even information and facts about their own areas and (20) the people and the structures they were fighting against. People did not have an understanding of the civic association itself." Is that correct? -- That is correct. It was for this reason that the civic association deemed it proper or important to start running seminars,

COURT : Could we just pause there for a moment while we are on this question of the dwindling membership of the SCA. Will you take up EXHIBIT W74. Look at the second last page, page 15. This is now the record of the proceedings at the meeting on 1 December 1984. I see on page 15 "Each(30) area/...

area in Soweto sent a delegation." There were ten delegations, it seems? -- Ten delegations per branch.

Were there then ten branches? -- No, the branches were more than that.

Were branches grouped together for the purpose of a delegation? -- No, no, one branch was to have a delegation comprising ten people.

Yes, but now set out here we have groups of let us say ten people I have not counted them and they are ten branches. "Each area in Soweto sent a delegation". Then I look at (10) Orlando East and I presume Orlando East is the Orlando East branch? -- Correct.

And then Meadowlands, I take it that is the Meadowlands branch? -- Correct.

And so I go on and I count the headings and I get ten. -- Correct.

The question then is, were they ten branches? -- Up to that time we had more than ten branches. I think we had seventeen, eighteen branches. I understood you to speak of twenty-two branches at some stage. When I saw this, I (20) could not understand it. -- This is in line with what Popo Molefe observes. That there was a time when some of the branches were so weak that they could not even be given branch status.

So, they were just names? -- They were just names.

Can it then be said that the twenty-two that you mentioned were branches which were initial branches in the period of great activity but later died off and in December 1984 we had ten branches? -- I would agree with that.

MR HANEKOM : Let us carry on on page 2 of EXHIBIT C16. (30)

I/...

-- I have it.

It says "Today many of the branches of the SCA have died. Even their committees can no longer meet. The Executive of the SCA, the Committee of Ten is also in a deep crisis. There are no longer records, reports and meetings do not take place regularly. Clearly the entire Soweto Civic Association is in a state of crisis." Is that a fair description of what the position was? -- I would not completely, because the committee went on meeting and at this time there was a greater meeting of delegates of branches that(10) were active at the time, that is the interbranch meetings, so whilst one concedes that looking at this in the light of what went before this period, it is true there was a mini crisis.

K898

"There exists an urgent need for these problems to be looked onto. Some amount of discipline and dedication must be put into the SCA. It is our task to deepen the understanding of our people and to develop their awareness as well as equip with the necessary tools to enable them to go forwards." Was that a viewpoint ... -- Yes, to go for-(20) word in the organising of Soweto Civic Association . I would agree with that.

And it continues "These will include (1) Our theory of organisation and change. (2) How to involve the masses. (3) Issues around which to organise. (4) How to develop the awareness of the masses. (5) The lack of activist organisers. (6) Explanation of a civic organisation et cetera." Is it because of these issues that the workshop that we have dealt with in EXHIBIT AM24 was held eventually? -- These are some of the issues that we looked at and perhaps (30) even/...

even other issues in terms of strengthening the SCA. That is we had to make the kind of analysis although this happened largely at the workshop itself, but these are the ideas that Popo Molefe had and which are not contrary to what we would deem proper for the effective organisation or effecting organising of the Soweto Civic Association.

The next passage is "Our theory of change and organisation. Some people think that change of freedom can be brought about by a clique or small group persons in leadership positions. Persons who shout slogans, address public meetings(10) and speak to the people through newspapers, people who decide for the masses and work for the masses, these people monopolise skills, knowledge and information. They believed that the masses are completely ignorant and incapable of producing their own leaders to lead the struggle." What was the view in the Soweto Civic Association on this this? -- The view in the Soweto Civic Association was that all the time the leader must be guided by the people, that is the masses and all the time the masses must be conscious of their problems and the need to solve them. All the time the masses must know(20) which direction their organisation should take. So, in this respect it becomes very important that the entire control of their association must remain in the hands of the people.

It continues "It is important that we do not fall into this trap. The danger of this approach is that it creates bureaucracy, it stifles initiative, it does not allow scope for democratic processes, it also does not allow for the development of the masses awareness as it denies them the opportunity to participate in their own struggle to determine their future." Was that in accordance with the view in the(30)

Soweto/...

Soweto Civic Association? -- This is in accordance with my view and I would say perhaps people in the Soweto Civic Association would see it that way, because to tie the people to the dictates of the leadership, is very dangerous. It stifles initiative, it does not ample space for development and awareness, it denies the people the opportunity to participate in matters that affect them.

Page 3 continues "Our understanding of how change will come about is completely different from the above. We are convinced that change can only come about through active (10) involvement by the masses." Was that in accordance with the views of the Soweto Civic Association? -- Yes, the fact that there was the need to have people organised, it was a real acceptance of that fact, that the people needed to be involved in matters that affect them.

It continues "We need to involve the masses in our programs for the struggle belongs to the masses and not to us as small groups of activists or so-called leaders." Was that the view in the Soweto Civic Association? -- Correct. I mean, the problems of the people do not belong to a few(20) people. They belong to the people.

There is no reference to the problems of the people here. It is a reference to the struggle. The struggle belongs to the masses. -- Now we are coming to interpret this thing as to whether I would see, in what light do I see it.

And in what light? -- That the people have problems and people have to struggle with those problems and this must be the concern of the people.

"The UDF in its million signature campaign handbook (30) asserts/...

asserts that it is the people not the few leaders who make history." That was also the view in the Soweto Civic Association. Do you agree? -- At the Soweto Civic Association we have never discussed the million signature campaign.

But the point that it is the people and not a few leaders who make history? -- That is true, the history is made by the people.

I want to go on to paragraph 3 "The organised groups prove that common interests, opposition to high rents, can only be effectively translated into action when people are (10) united, mobilised and organised to stand by their rights." Was that the view of the Soweto Civic Association? -- Yes, I mean who can have the right just to wake up and say I am unable to pay the rent, therefore the people must come around me and raise this as an issue. It must be an issue that affects the people and it is going to be on the basis of that that whatever line of action is to be taken, must be decided upon and agreed upon by the people.

This is a reference again to the importance of mobilising and organising and uniting the people? -- Without (20) the people being organised, without the people being united, you cannot achieve anything. This is our viewpoint in the Soweto Civic Association .

"Therefore, when we talk about preparing people for change" then there is something written in that I cannot read, but was that one of the activities of the Soweto Civic Association to prepare the people for change? -- Admittedly preparing people for a change. People cannot remain for ever in a state of poverty. They must change to something worth while, something to their benefit, to their welfare. (30)

"The organised groups in this example have experienced something/...

something very significant. They realise as individuals they are powerless but as an organised body with clear demands, tactics and strategy they have the power to change their living conditions." Was that the view of the Soweto Civic Association? -- Correct.

How would people be able to change their living conditions? -- They will do whatever they can within their means and where they find a problem, as I have said, they will discuss, negotiate with those in power to change the lot of the people. (10)

"It also indicates to everyone that the burden of changing the conditions of life does not rest on the shoulders of individuals. It is a task of an organised group." That is why the people had to be organised. Do you agree? -- Of course. Once the people approach the community as an organised group, it is better than approaching the authorities as individuals.

The next heading is "How do we involve the masses." "We must develop programs based on the needs and interests of the residents at the local level and transform them (20) into collective actions by the people themselves." Was that the task of the Soweto Civic Association? To develop programs and to transform them into collective actions as it is stated here? -- Yes, that is we needed to claim on how to meet the people's needs at local level, yes.

"In this way unity can be built around concrete issues, real issues that the people themselves see affecting them and can actually relate to." That is again a reference to the importance of using day to day problems affecting the people? -- Of course, you cannot dream for the people (30) and/...

and hope the people can come around your dream. Real issues is what matters.

"This will include campaigns around high transport fares, rentals, electricity, lack of proper services, high water tariffs, lack of health facilities, shortages of houses, lack of qualified teachers, lack of schools, et cetera" and all those issues were issues taken up by the Soweto Civic Association. Do you agree? -- Not all of them. An example is, we have not addressed ourselves yet to the question of qualified teachers and already we (10) had started addressing ourselves to the lack of schools. Otherwise the rest is true. We had tried to address ourselves to.

K899 "The masses can be involved through street meetings, door to door work, house meetings, street representation, area committees, branch sub-committees, et cetera." Did the Soweto Civic Association conduct street meetings, door to door work and house meetings, streets - all the methods listed here? -- We had already drawn that plan, but he had not executed it yet, because I remember when we were (20) discussing the whole problem of the failure rate of the children, it came through very clearly and very strongly that one of the contributions that parents can make is to show their interest in day to day school work of the children and to do these the parents will have to look into the possibilities of signing the children's books every day and when referred to this problem, it became very clear that some, not all parents would be in a position to sign, nor would they be in a position to understand. Perhaps even the number of the subjects that (30) are/...

are being taken at school. So, we had said that it was going to be important to organise parents on a street to street basis with the view of enabling the parents to monitor the school work of their children.

Paragraph 4 says "How do we identify issues? We pointed out earlier on that issues must be real and practical." So, I put it to you that it was the task of the Soweto Civic Association to point out to the people issues to rally them around?

COURT : Are we now back to square one? (10)

MR HANEKOM : No.

COURT : I thought we had dealt with the issue question?

MR HANEKOM : I will leave it at that. I now want to refer you to EXHIBIT C32 volume 3. C32 was found in the possession of B. Francis in Benoni and also in the SAAWU offices in Pretoria. It is a document headed "Interview Kit" with a UDF logo on it. Turn to page 2 of that exhibit. We see a heading "Who is seeing which affiliates?" The third name is Mike and he is to see SCA, SOYCO, Teachers Action Committee, COVANGU. It seems that this is a document on media (20) issued by the UDF. Did Mike, I put it to you it is probably Mike Roesos, visit the Soweto Civic Association in connection with media? -- No.

On the second half of that same page we see three-quarters down that page point 2 "On the job training and producing media." That is under the heading "What the committee offers." "This covers, writing, design and production of A4 and A5 size leaflets et cetera and posters, newsletters, banners, stickers, logos." Did you get help in this regard from the UDF? Did they supply you with (30) posters/...

posters, banners, pamphlets, leaflets, et cetera? -- Yes, I have already said that we bought stickers from the UDF when we were campaigning against the election of the councils in 1983.

Is that the only incident? Instance where you received any publications or any media from UDF? -- As far as I remember, yes.

Did you ever receive UDF News for distribution in Soweto? -- No.

Item 5 says "UDF News. Suggestions and helpers from (10) affiliates would be very welcome." Did you send anyone from Soweto Civic Association up with their publication of the UDF News? -- No.

Have you seen this document before? -- This is the first time I see it here in court.

I put it to you that a similar pamphlet was found in your possession. Will you have a look at EXHIBIT AX2 please. It is similar to this EXHIBIT C32 page 2. -- Yes, I see it.

Why did you have this document in your possession? Where did you get it from? -- I used to have many documents. (20) When you are in Khotso House documents are thrown around. Sometimes you would just find them in your possession without even being aware of them.

Was it not that you were interested in the media in the subject of media and the courses offered by UDF on media? -- No, we never had that kind of a concern, because as you could see, right from our - in some of our minutes, we were already getting assistance from a group in Wilger-spruit on media.

And this pamphlet AX2 is headed "To all Transvaal (30)

UDF/...

UDF affiliates." Is this now how it came into your possession? It was sent to you by the UDF? -- The fact that we were not a UDF affiliate at that time, perhaps account for why I did not take much notice of that.

MR BIZOS : The record may give a wrong impression. There may be some similarity on the contents of one page, between the two documents but C32 is a multi page document dealing with all sorts of things and AX2 is a one page document.

COURT : Is C32 in the same size as the original or has it been reduced in size because the size of AX2 differs from (10) the blue pamphlet in C32?

MR BIZOS : I cannot answer that.

COURT : It is being pointed out that there is a difference in the underlining at least between AX2 and the blue pamphlet in C32. I call it a blue pamphlet, because the words are ... (Mr Bizos intervenes)

MR BIZOS : Yes, we also have that endorsement.

COURT : Otherwise the wording seems to be the same.

MR BIZOS : Yes, but the format of the document is completely different. (20)

MR HANEKOM : That is so, but the contents are the same.

How do you know when this pamphlet was issued? You say the Soweto Civic Association was not an affiliate at that time? -- Yes, because the Soweto Civic Association became affiliated - I do not even know the date of this document in the first place.

That is the point, if you do not know the date of this document, how can you say it was issued at the time when you were not affiliated to the UDF? -- Admittedly. I mean, if we had affiliated at the time, I would have shown great (30) interest/...

interest in this and I would be bound to have it read at the Soweto Civic Association's meetings.

I put it to you again that since the launch of UDF the SCA was in fact an affiliate of the UDF and was actually on the list of affiliates of UDF and that is why you probably received this document from the UDF because you were on the list of affiliates of UDF? -- Well, I would not quarrel with the presumption of the people in the UDF office, but I knew that we were not affiliated. That is why I did not take notice of this letter. (10)

Have you ever sent any people from Soweto Civic Association to any media workshop offered by the UDF? -- We have never sent people to such media.

Will you turn to EXHIBIT C35 in the same volume, please. It consists of ten documents found in the Afroscope office in Johannesburg. Turn to page 7 please.

COURT : The admissions refer to documents. Which is the first document that is referred to? It is admitted that the fifth document was written and compiled by accused no. 19. The first document, is it the first page or the first (20) three pages?

MR HANEKOM : I will have to check on the list of admissions.

COURT : You must do it now because we will have to have our numbering correct when we start referring to this document.

MR HANEKOM : It seems that the first three pages is the first document. (Pages are numbered) I refer to document 5. -- Yes, I have it.

And this is a letter of support I do not know whether you want to call it something else written by the Soweto Civic Association to Afroscope apparently. Do you agree? (30)

I/...

-- I do not agree.

What is this document then? -- I do not know this document.

You have never seen it before? -- I have never seen it before.

It is under the letterhead of the Soweto Civic Association. -- I see that.

Whose signature is at the bottom of that page? -- I cannot even read it.

COURT : You can take it that this document was written (10) and compiled by Accused no. 19.

MR HANEKOM : What was the relationship between your association and Afroscope? -- We never had a special relationship with Afroscope.

The first paragraph of this letter says "We, in the Soweto Civic Association, fully endorse the bona fides of Afroscope as a community based film unit actively involved in community struggles. (1) Documenting current community struggles. (2) Providing resources for the associations' needs." To what does that refer? What resources were (20) provided by Afroscope? -- I do not know the resources provided by Afroscope.

Do you know nothing about that? -- I know nothing about that.

COURT : Would you have known had Afroscope provided resources for needs of the Soweto Civic Association? -- Yes, because they would have spoken to the committee or they would have spoken to some of our people in the committee who would have reported to the committee and the Soweto Civic Association. (30)

Accused/...

Accused no. 19 was on the Committee of Ten? -- Yes.

What was his function there? -- There was no specific function. He himself testified that he was to help Reverend Sibidi in matters of education.

MR HANEKOM : do you then say that accused no. 19 was wrong in stating that Afroscope provided resources for the Soweto Civic Association? -- Yes, to say it provided resources to the Soweto Civic Association is incorrect.

Will you look at EXHIBIT C50 volume 4.

MR BIZOS : May I just draw Your Lordship's attention to it that there is no date on it and the witness's name (10) does not appear as an office bearer.

COURT : Why do you mean the witness's name?

MR BIZOS : Once there is no date and his name does not appear there, knowing that he was no longer associated after December 1984, there may be an inference other than the one suggested by the cross-examiner.

MR HANEKOM : Do you have C50? -- Yes, I have C50.

"UDF Area Committee Workshop" and it was found in the possession of Tenki Sekonya in Soweto. Do you know a person (20) by the name of Tenki Sekonya? -- First of all, I am not with you yet. What document is that?

C50 and I say it was admitted to have been found in ... -- C50 here is the structure front.

COURT : May be we have got different documents. Mine has headed "UDF Area Committee Workshop." (Document is given to the witness)

MR HANEKOM : Do you know a person by the name of Tenki Sekonya? -- No, I do not know him.

Do you know anything about this UDF Area Committee (30)

Workshop/...

Workshop held on 18 November 1984? -- No, I do not know it.

Were any people of Soweto Civic Association sent as delegates to that workshop? -- I do not know about the workshop and I do not know of the people from Soweto Civic Association sent as delegates to this workshop.

It says there that the names of the people who attended the workshop are listed and the first name is Soweto Civic Association. Do you see that? -- Yes, I see the Soweto Civic Association.

And its present activity was given as preparing for (10) the SCA AGM on 1 December 1984. That was correct? -- At that time we were preparing for the AGM.

And the number of branches plus-minus sixteen. That is correct or not? -- Yes, that is correct.

Then it says "Number of activists plus-minus sixty." What would you understand by that? Number of activists plus-minus sixty? -- I do not know what they mean by activists.

COURT : What do you mean by activists? -- People who are in the membership of an organisation and who participate actively in the activities of the organisation. (20)

So, would this then mean in terms of that definition that there were about sixty active members of the SCA? -- That is why I say I would not understand that. I mean, we had more than sixty people who were involved in the activities of the Soweto Civic Association.

MR HANEKOM :

Do you know whether there was an area committee of the UDF in Soweto? -- No, I do not know of that area committee in Soweto.

Was Mr Amos Masondo not the representative of the Soweto Civic Association on the area committee in Soweto?(30)

No/...

-- No, he was never a representative of the Soweto Civic Association.

Will you have a look at EXHIBIT T15. This was found in the UDF offices Johannesburg. Minutes of the meeting of the National Secretariate of the UDF held on 12 and 13 January 1985. Will you turn to page 5 please paragraph 6.2.4.7. It says "Kennedy following Bishop Tutu's request that the UDF assists with practical arrangements for the Kennedy meeting in Soweto. The following decisions were taken." The last item is that Samson Ndou and I. Mogase (10) of SCA were asked to speak. Was such a request - was the SCA requested to provide speakers for the meeting, the so-called Kennedy meeting in Soweto? -- No. The Soweto Civic Association never received a request for speakers from the SCA.

COURT : Were these members of the SCA? -- Yes, they were both members of the SCA.

MR BIZOS : May I draw attention to the date. 12 to 13 January at a time when the witness was no longer on the executive of the SCA. (20)

MR HANEKOM : Will you have a look at paragraph 6.2.4.9 on the same page. "Parents committees have been set up in Soweto and other parts of the region to deal with the education crisis. A national parents committee consultative meeting was held on 29 January 1985. A draft constitution has been prepared." Do you know anything of a national parents committee? -- I know of a meeting that was convened to look into the possibility of a national parents committee and the delegates were sent back to discuss the whole issue. I do not know of the meeting that could have resolved to (30)
form/...

form the national parents committee.

There was a parents committee in Soweto during your time? -- Yes, there was a parents student committee at that time.

Did UDF have anything to do with the student parents committee in Soweto?-- No.

Was there any other committee called the parents committee apart from the parents student committee that you refer to in Soweto? -- I do not know of any other committee.

(10)

Will you turn to EXHIBIT T22 in the same volume. It is the secretarial report from the Transvaal is this is the same document as the one numbered J2 that we have referred to this morning. Paragraph 5 on the first page says "Education crisis. In a public meeting organised by the UDF area committee Soweto, a parents committee was formed to work very closely with COSAS." What do you say to that? -- Well, I do not know that.

Where was the parents student committee formed you know of in Soweto? Was it not on a meeting organised by the (20) UDF Area Committee?

COURT : You are way ahead of me at the moment. You said this was similar to what document?

MR HANEKOM : J2.

COURT : Why do you for one purpose prefer the one and for another purpose prefer the other?

MR HANEKOM : It is while I am busy with this volume that I take this exhibit.

COURT : What page are you referring to?

MR HANEKOM : Page 1 paragraph 5. It says "In a public (30) meeting/...

meeting organised by UDF Area Committee Soweto, a parents committee was formed." The question is where was the parents student committee that you were a member of formed in Soweto? On what occasion? -- First I was never a member of that parents committee.

I am wrong in that respect. I am sorry for that. Where was that committee formed? -- It was formed in Soweto. I think it was formed at a meeting which was held in Regina Mundi. I may not be able to remember the date exactly.

Who organised that meeting in Regina Mundi? -- This (10) was - I think the meeting was organised by COSAS. I was not personally at that meeting, but out of that meeting the people present elected a parents student committee.

You were not present. Can you deny that it was a meeting organised by the UDF Area Committee? -- But I have not said it is not organised by the UDF. I said the one that I know of was organised by COSAS. Whether COSAS could have been mandated by UDF is another thing.

I understood you to say that you were not certain about this. Are you certain now that it was a meeting convened (20) by COSAS? -- At least, the one that I am referring to where the parents student committee was formed.

Will you turn to EXHIBIT T19 in the same volume.

COURT : What is the admission in connection with that?

MR HANEKOM : T19 was found in the UDF offices Johannesburg. It is "Secretarial report to the general council of the UDF Transvaal held on 25 Februarie 1984." Page 2 the last paragraph "Firstly, much has been said about developing a campaign against the extension of military conscription, but thusfar in the Transvaal there is little progress. (30)

Secondly/...

Secondly struggles around the housing question which remains a burning question in the ghettos need to be intensified and co-ordinated both regionally and nationally. To this the executive committee has requested the SCA to make proposals for and convene a regional meeting of civic organisations." Do you see that? -- I see that.

Was such a request received from UDF? -- We never received such a request from UDF.

So, this is a wrong statement? -- It sounds like a mistake. (10)

Has the SCA ever convened a regional meeting of civic organisations? -- No, but we had already considered that and I think it is possible that they could have tried to work on that, but this could only have happened in 1985 after one's detention.

Who suggested it when you considered to convene such a meeting? -- It was a resolution of the AGM of 1982.

And up to 1985? -- Up to 1985 we were not in a position to convene that, because we had to look into quite a number of problems which would need attention. Like the funding, (20) the venue convenient and all possible problems that would go with it.

Will you turn to EXHIBIT W9. This was found in the possession of R. Halim of Lenasia and it is a "Working Progress 1985". What was the relationship, if any, between AZAPO and the Soweto Civic Association? -- There was no special relation between AZAPO and the Soweto Civic Association .

Were they on friendly terms, the two organisations, AZAPO and Soweto Civic Association? -- I would find it (30) difficult/...

difficult to express it in any terms, except to say that we were not at any meeting with each other.

Were the two organisations working together in any respect? -- Not that I know of, but we had people in AZAPO who were members of the Soweto Civic Association.

Did you attend each others meetings? -- As representative of SCA? No.

Will you agree with me that in 1985 at that stage all the office bearers of AZAPO were members of the Soweto Civic Association? -- 198? (10)

1984/85 in that period? -- First I do not know what number comprised the AZAPO officials. So, to say all members of AZAPO executive were members of the Soweto Civic Association I would find it very difficult, because we had the likes of Sath Cooper who were not residents of Soweto.

Will you turn to page 16 of W9 the last paragraph in the first column says "Kabela" and opposite we see a photo of Mr Kabela the new AZAPO president. "Kabela and other national officials regularly attend meetings of the Vaal Civic Association in Sebokeng as an act of solidarity (20) and to take the opportunity of sharing perspectives with them. He and his fellow office bearers are all members of the Soweto Civic Association or their local equivalents and some provide leadership at branch level." Do you agree with that? -- I find it difficult when it comes to all members of the - that is he and his fellow office bearers are all members of the Soweto Civic Association. I do not know what he refers to when he says all office bearers of AZAPO.

He means what he says that all office bearers were (30)

But/...

... -- But factually it is incorrect.

It is incorrect? -- Yes, I have referred to an example of the likes of Sath Cooper.

And where he says that some will provide leadership at branch level, is that also incorrect? -- I would not say it is incorrect. Some of the AZAPO people were in the leadership of some of the branches.

WITNESS STANDS DOWN.

COURT ADJOURNS UNTIL 14h00.