

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA

(TRANSVAALSE PROVINSIALE AFDELING)

SAAKNOMMER: CC 482/85

PRETORIA

1987-09-28

A

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

LUBBE OPNAMES

VOLUME 294

(Bladsye 16 413 - 16 495)

COURT RESUMES ON 28 SEPTEMBER 1987.

MOSIUOA GERARD PATRICK LEKOTA, still under oath

FURTHER CROSS-EXAMINATION BY MR FICK : Mr Lekota, we were busy with EXHIBIT F page 5 paragraph 12. That is the minutes of the meeting of the NEC held on 21 and 22 January 1984 in Pretoria. Paragraph 12(c) "It was agreed that Comrade Cassim Saloojee might go abroad to establish direct contact with funding agencies." We were busy with that paragraph. Did Mr Saloojee inform the meeting which funding agencies he intended to visit? -- No. (10)

Who paid for his visit? -- The UDF if he was sent by the organisation.

Do you really want this Court to believe that this man would stand up in the meeting of the NEC and ask them for permission to travel abroad on UDF's expenses without telling them where he intended going to? -- No, I do not think counsel is reading what is in the minutes. There is no where where it says that this man asked for permission to go abroad. It says "It was agreed that Comrade Saloojee might go abroad to establish." It does not say that he asked for permission(20) to do that.

Did the meeting of the NEC not instruct Mr Saloojee to contact certain funding agencies abroad? -- It was decided that he might go abroad to establish contact with funding agencies. To the best of my memory, I cannot remember whether any details of the matter was discussed there.

COURT : Is that now to contact existing funding agencies or to establish new funding agencies? -- As far as I am concerned both categories would have been involved. I cannot remember the details of the discussions, but I think both any way.(30)

Where/...

Where he would be able to find people, new agencies which were willing to fund it for the first time, I think he would have tried to persuade them to do so.

MR FICK : Was it said which countries he might visit? --No. I cannot recall that any specific country was cited. As the minutes says go abroad.

We have before Court a number of minutes of NEC meetings. The first one we have is EXHIBIT D which is a meeting of 10 September 1983, the second one is EXHIBIT E, which is the minutes of the meeting of 5 and 6 November 1983, then the(10) third one is EXHIBIT F which is the minutes of the NEC meeting UDF held on 21 and 22 January 1984, the one before you, the next one is EXHIBIT G, the minutes of the meeting ...
(Mr Krugel intervenes)

ASSESSOR (MR KRUGEL) : Do you want all these taken out, Mr Fick?

MR FICK : Only if the witness wants to refer to them. I am not going to refer to them specifically.

COURT : Because then you must warn My Learned Assessor, because every time you mention an exhibit, he has to twist(20) his back to get it out.

MR FICK : I will do so. I am sorry. EXHIBIT G, the minutes of the meeting of 1 and 2 June 1984, EXHIBIT H, the minutes of the meeting of the NEC held on 21 and 22 July 1984 and the last one is the minutes of the NEC meeting held on 10 November 1984, EXHIBIT J. Are these the only meetings which were held by the NEC? -- No.

That is now for the period 10 September 1983 to 10 November 1984? -- Yes.

Was any other NEC meeting held except these? -- Between(30) August/...

August 21 and December I was in detention. I know there was a proposed NEC that was supposed to take place in September. Whether it did take place or not, we do not know now, because we have looked through the documents and we have not been able to find any trace of a minute relating to it.

I put it to you that there are no references to any report by Mr Cassim Saloojee in the minutes of any of these meetings in relation to his contact abroad with funding agencies except for page 4 of G1 where it does report on the visit to Sweden. It says that he reported that whilst in (10) Sweden he and Murphy, who was still abroad, met the editor of Arbertet who handed over the prize on Sunday, 27 May 1984 in Malmö. Some political parties and other organisations. His impression was that the Front is perceived as a very significant and powerful resistant movement in the country. The support for the Front was very substantial.

COURT : Is that paragraph 9.2? -- It is page 4 of G1 paragraph 9.1.1. He also reported that an event of top leaders of the world held at the UN Centre against apartheid in March 1984, the Front represented by, Cassim spoke on the new constitu- (20) tion. So, that is what the minute ... (Court intervenes)

Now, which of these were the funding agencies? -- Well, certainly we did get some money from Arbertet, from this Malmö because we got a prize from these people.

Well, a prize is normally not a funding agency.

MR FICK : I put it to you that at no meeting of the NEC and in no minutes of such a meeting before Court there is any reference to Cassim Saloojee's report on his contact with funding agencies? -- I cannot recall whether in the course of this, he may not have also given further reports or (30)

whether/...

whether subsequent to that at any other meeting where I was not present he might have done so.

I put it to you that the minutes before Court do not represent all the decisions and discussions which were taken and held by the NEC? --No, no, I disagree with you. I disagree with you entirely. What decision was taken by the UDF which is not here?

Where did UDF gets its funds from? -- First from our affiliates from the subscription, from some of these agencies which would have been approached by the treasury. From other (10) groupings and organisations, from occasions such as the festivals which were held by the Front, organised by the Front for fund raising. I cannot give the full detail, because I was not handling and in charge of treasury, but I know that fund raising was made by our treasuries and our treasurers.

Except for the Let Live prize which UDF received from Sweden, did UDF get any other funds from abroad? -- As far as I am concerned, yes.

From which countries? -- I cannot give you any details of that, because I cannot say for a fact this is what hap- (20) pened, this is where we got the moneys from. I do not know about that, but I know that we did get money from there.

I do not want to know how much money you got from abroad, only from which countries did you receive money? Can you not even tell that to the Court? --I would say from Britain, from West Germany.

Which other countries? -- Those are the ones I can remember. May be also from some of the United States- I cannot remember the facts, but I think may be also from the United States.

(30)

Do/...

Do you know from which organisation - agency in the United Kingdom? -- I am sorry no.

You cannot mention even one of the agencies? -- No, I do not know.

We are still busy with paragraph 12 of EXHIBIT F paragraph 12(d) on page 5 "It was suggested that the publicity department must print booklets on UDF to be distributed and circulated abroad with a view to forming support groups about the UDF and its work." Did the publicity department print any booklets? -- At the time the booklets which we continued(10) to distribute were the booklets A1. Some of the booklets like the million signature booklets would have also become available for purposes of that nature to a much lesser extent than the A1 booklets. We did print of course the UDF declarations on glossy paper which could be actually framed against the walls and things like that and also we sent those ones out.

This paragraph 12(d) is obviously not a reference to EXHIBIT A1 because it says that it was suggested that the publicity department must print booklets? -- Yes, but the important thing was that we needed booklets which provided(20) information on the UDF and we still had abundance of these.

To which support groups did UDF distribute the booklets? abroad? -- I cannot cite specific organisations. Whenever - in any event organisations came around, people came around here from abroad from church groups and things like that, we made available our material on the UDF to them.

Will you please turn to EXHIBIT G1 page 3 paragraph 8.3. Minutes of the UDF NEC meeting held on 1 and 2 June 1984 Cape Town. According to the minutes you were present? -- Yes, I was present. (30)

Page 3 paragraph 8.3 "The following decisions were taken regarding the elections. That it be recommended to regions to form the joint planning councils to facilitate effective campaigns against the elections. In the Transvaal the regional secretaries must work jointly with the national offices towards the formation of JPC's." Were JPC's formed? -- That is in some regions, yes.

Why was it necessary for the Transvaal regional secretary to work jointly with the national offices towards the formation of JPC's? -- It was just convenient, because head office(10) is in the Transvaal and we are next to them.

In the Transvaal did you form a JPC? -- The Transvaal did pursue some consultation with some of the organisations, but I cannot say really what the outcome thereof was. I may just explain in relation to these JPC's that they were actually intended to facilitate co-operation between the UDF and organisations which were themselves opposed to the new constitutions but which were not affiliated to the UDF.

Will you now turn to page number 6 please paragraph 14.2.7. It is under the heading "Restructuring national (20) office." It is stated in paragraph 14.2.7 "The NEC ratified the national secretariate decision that the national offices must play the role of organisers." Why did you take such a decision? -- At this time, as the anti-election campaign was moving towards its climax, we did not have a national organiser, nor did we have a national co-ordinator of that campaign. It became necessary that somebody or some people must play that role and it was in relation to that situation that it was decided that because we did not have a national organiser, the head office must play this role. (30)

Is/...

Is it only in relation to the MSC that it was decided that you should play the role of organiser? -- No, no, in relation - there was a decision affecting the million signature campaign, but here in relation to this specific issue the matter was facing, was looking at the question of the anti-election campaign, but it was also true that at a certain point it was also decided that because there was no national organiser, national co-ordinator for the million signature campaign that the head office must take charge of it. That is also true, but it is independent of that, (10) as far as I can recall.

Did you play the role of organiser in the election campaign?-- Yes, we did.

This campaign, according to EXHIBIT G, we find a JPC, Joint Planning Council first of all? -- Yes.

We also find that the national offices must play the role of organisers? -- Yes.

And then in EXHIBIT H1 page 3 paragraph 5.1.2 under the heading "The anti-election campaign. It was decided by the NEC at its meeting held on 21 and 22 July, held (20) in Bloemfontein," paragraph 5.1.2 "That there should also be a national co-ordination committee?"-- Yes.

How do all these things fit in? Who is now in charge of the election campaign, the anti-election campaign? -- If we take a look at G1 - I am trying to get that section, I will read it now.

I think it is 8.3. Yes, 8.3 page 3. -- It was recommended there in June that "To facilitate effective campaigning against the elections, should be formed the JPC's." That is now in June. In July - you see, these (30)

JPC's/...

JPC's would have to be formed in the regions. So, that in July it became clear that it would be necessary not only to have those JPC's, but to have them co-ordinated nationally and as far as I can recall, the national co-ordinating committee would therefore co-ordinate the JPC's.

Where do the organisers fit in? -- Because we were going to do that co-ordination. What happened in fact is that we had from every region somebody representing every region sitting with us and sitting together with us, therefore constituting the co-ordinating committee, this national (10) co-ordinating committee, specifically for the elections.

I put it to you then that you were well aware of each and every action which took place in the regions as far as the anti-election campaign is concerned? -- Such as what?

Boycotts, the meetings held in the different regions, publications issued by regions in this campaign? -- We were aware of the fact that the campaign was going on to boycott the elections. There is no doubt about it. We were aware that meetings were being held in the various regions to urge people not to go and vote and we ourselves addressed several (20) of those meetings. It was of course the opposition and the policy of the UDF that people must be urged to boycott the elections and not to go and vote for them, but there are publications which would have been issued by the regions independent of us, which would not have been from us. We for instance would have been responsible for the big pamphlet that said now "Do not vote in apartheid elections" et cetera. That would be that. I do not know if there is anything else that is intended to be suggested by that.

What did you do then as the organiser in the anti- (30)

election/...

election campaign? -- For instance where the meetings were being held and speakers were wanted and so on, we would have been responsible to make sure that speakers - that all the speakers do not go to one meeting. At least there is a division of labour. Some people go and address a meeting in Port Elizabeth, other must go and address a meeting in Durban and so on and so on. That kind of thing. Administrative, just to make sure that there is no chaos, that it is properly co-ordinated.

That is now the speakers. What else did you organise?(10)
-- We did not have to organise. Each region says we are doing this, the other region says we are doing this, the other region says we are doing this or we plan to do this and so on. So, we must just see to it that there is no clash in activities. As it will be seen, on the weekend of 18, 19 and 20, there were a number of meetings held in various places. In some of the regions, the meetings were held on Saturday, the 18th, taking only that weekend. On the 18th for instance there was a meeting in Port Elizabeth. So, that we would say Natal must not organise the meeting for the 18th, so (20) that some of the speakers who are available would be able to attend and help with the meeting in Pietermaritzburg on the 18th. On the following day, on Sunday, that day in Natal is left open for Greater Durban and those areas. If they hold their meeting, everybody goes and address there. When the speaker for instance from Namibia came, the question was where was he going to speak and so on. Where would he speak? We would just see to the deployment of that in such a way that there is co-ordinated action and throughout the 18th and the 19th, the Eastern Cape had to wait, because (30)
over/...

over the weekend for instance some of the speakers like Dr Allan Boesak was speaking in the Western Cape. I was in Natal and so on. So, they had to arrange their meeting for the 20th, when these other people would be free from other commitment and would be able to attend to. This is the kind of co-ordination we are talking about.

Was it then your only task as organiser to organise speakers and meetings? -- Not to organise them, to co-ordinate.

Only speakers and meetings, nothing else? -- I cannot think of anything special that we did. That is all we did. (10) Unless something can be put to me that we also did that. I cannot think of anything out of this world that we did.

Will you turn to EXHIBIT G4 page 1 paragraph 6. Summary of NEC meeting held on 1 and 2 June 1984.

COURT : Where was this found?

MR FICK : UDF offices Johannesburg. Paragraph 6.1 under the heading "Restruction of UDF. A committee of three is to be appointed by the publicity secretary in order to assist with information and research." What committee is this now? -- The position here is that in publicity it was (20) literally a one man show there, but we needed a lot of information. Say purely on the question of removals, on the question of education. On any issue. We needed some people who would do research on this and keepo information continuously available. If for instance I was going to make a press statement on an issue or where an issue arose, instead of going to the library to go and look for the information and read through the papers of the Labour Party 1977 et cetera, et cetera, that information would have been collected by such an information and research unit. (30)

We/...

We needed people who would busy themselves and do that kind of thing, so that each time we make a comment or the UDF responds to an issue, it would be an informed opinion, because we would have researched the thing. This was going to be a long term thing. It would be a unit that would serve in the UDF for a long time, constantly collecting information on any issue. Like now the Black Forum, now the national statutory council, look at the issue of local government and do all that research and make that information readily available when we need it. (10)

Did you appoint such a committee? -- Not until my arrest. You see, we had to get people who had the knowledge and so on and so on and the time and all that. So, it was not just going to be an overnight thing.

Can we take it then until your arrest you were the only person responsible for national publicity? -- Yes, of course I worked hand in hand with the media committees in the various regions. Sometimes I had to ask people to help me to collect the information. In fact, most of the time I had to rely on them. (20)

Only the Transvaal media committee or media committees of other regions as well? -- Most of the time I did work with them, but in some of the issues I may need information about the Western Cape or Natal and then the best place media committee would be the one in that region to collect the information for us.

Whilst we are busy with this page, paragraph 6.4 "The labour unit being Nair and K. Ndlovu is to be asked to undertake labour relations together with one of the national offices." Which national offices? -- It was never finalised(30)
as/...

as far as I know. They would be asked - again even here, it was a question of, we realised that we did not have sufficient manpower to tackle the question of relations between the UDF and the trade unions and we needed some people who would devote attention to that to collect the information and then we have it ready at hand.

COURT : Before you put that away, paragraph 3.6.3 would appear to indicate that the administration of the Transvaal office and the UDF head office were up to this stage together, not separate? -- Unfortunately, no. The point is they (10) were separated, except it is true that now the Transvaal did not have a telephone and to a very large extent they were relying on the telephones of the head office and we had to - unfortunately we had to pay the bill and all that. So, we had to make it clear that they must now just leave the office and they must organise their own phone and all those kinds of things, but otherwise the administration was always independent. That really went back to the end of 1983 and because they were using for instance our phone , one of the things is, they had a copy of the head office (20) key because sometimes they wanted to use the phone when we were not there. Even that we had to take from them to make sure that they do not have any access to that office at all.

MR FICK : If it is so that the administration of UDF Transvaal and UDF national was separate, why was it necessary to state here that the administration, telephone lines et cetera of the Transvaal office were to be separated from head office? -- No, I do not know why the minute says that, but I think what is really - what is intended to be communicating there is what I have just said to the Court now. I know that (30)

for/...

for a fact that that was the position.

Will you please turn to EXHIBIT H2. It is a document with the heading "The National secretariate recommendations to the UDF NEC sitting on 21 and 22 July 1984 in Bloemfontein." Page 2 paragraph 2.2.4 with the heading "Media publications."

COURT : Was this also found in the UDF offices?

MR FICK : Yes. Is this a report compiled by you? -- Which report? These recommendations?

Yes? -- No, they were compiled by accused no. 19

Did you assist him? -- I was at the meeting where (10) these recommendations were made. I did not assist him drafting this document. All he had to do was to take the minutes and do this.

Do you want to tell the Court that accused no. 19 made recommendations on publications and media without first consulting with you? -- But counsel does not understand what I am saying. I am saying that there was a meeting of the national secretariate at which I was present, but the national secretariate made this recommendations and having made those recommendations in its meeting, when we were going (20) to this meeting of the NEC, he took the minutes of the national secretariate and prepared this document. He did not do it himself. It is not his recommendations. It is the recommendations of the national secretariate. It says so at the top there at page 1.

From the first two paragraphs of this page I put it to you that it is clear that you as well as the NEC of the UDF were always informed about publications of UDF issued on campaigns? -- Which publications is counsel referring to?

UDF News, slogans, acceptance of the national slogan, (30)
stickers/...

stickers, posters? -- Yes, if it is national UDF News, I was directly in charge of that. I did not write every article in it, but I was in charge of it, so that nothing would happen without my knowledge. I know about it and I was there representing the NEC. I have never said that we did do not know - but if it is a regional UDF News, it is not a matter of national, it is just a region who decides it is going to produce a UDF News et cetera, et cetera and he does so.

In the last paragraph 2.2.4 it is stated that the (10) "Community newspapers for the duration of the anti-election campaign be used effectively to promote the campaign." Which community newspapers did you have in mind? -- There are all kinds of them, Speak, The Eye and what not. All that it would mean is that we would just make available to them the press statement and things like that like any other paper.

Only press statements? -- What else is counsel about to suggest to me? I do not know of anything else that we did.

Did you not supply articles to the community news- (20) papers for publication? -- No. If we wrote an article for publication and they were interested, we would make it available to them. I know of not one single article that we wrote specifically for them and say they must publish it, no.

And interviews? -- If they came for an interview, we would willingly afford them interviews. That would be so. I cannot remember any interview other than this one that was conducted by SASPU with me on rural communities and then there was the other one subsequent to my release on the Kennedy thing (30) and/...

and so on.

On this question of community newspapers, will you please turn to EXHIBIT T5. That is the Minutes of the National Secretariate Meeting held on 10 and 11 March 1984 in Johannesburg.

COURT : Where was this found?

MR FICK : At the offices of UDF Johannesburg and according to the minutes you as well as accused no. 19 were present? -- Yes, I was present.

Will you please turn to page 4 ... -- I was present (10) for part of this meeting.

Page 4 the middle of the page under the heading "Alternative media. Community paper may employ people helpful to UDF." What was discussed on this? -- This is just an observation that they may do so. I cannot - there is nothing else that was discussed.

COURT : Why would this be discussed? They can employ anybody if they want? -- I do not know the reason why this was put here, but there is nothing special that was discussed about this that I can remember. You see, as I can recall (20) looking at this, was a theoretical discussion "Alternate media project UDF." This other point, there was an interview there and there was feeling that it must be responded to. These were just general discussions here. I cannot recall the text of all these discussions here.

MR FICK : And the second sentence "Alternate media project UDF." What was discussed on that? -- This looks like it is cryptic. May be I think what was being said here was that alternate media does put forward the UDF News or it is receptive to UDF views or something. I cannot recall exactly (30)

now/...

now all this.

The next line "UDF need to feed alternate media on regular basis with news." What was discussed on that? -- Just that with whatever is happening and we have information about the activities of the UDF, we must also make it available to them. The information, that is.

Whose task was that? -- Largely our media committees.

And what about you? -- No, but look, if things happened in the Western Cape, it is only the media committee that can do it. If it happened in the Transvaal, Transvaal (10) media committee will do it. The thing is that I cannot be all over the place and doing that kind of stuff, because I have got other commitments to attend to. If I was to go and write an article on each and everything that happens, I would need many more people to do it, but the media committee is our best place because they have got more people and they can do it better.

I put it to you that UDF and the community newspapers like Speak, SASPU national, The Eye, Grassroots, were working hand in hand in the struggle against what you call apartheid?(20) -- What is meant by working hand in hand?

First of all, I put it to you from EXHIBIT W70 it is clear that Mr Mafison Morobe who is a leader in UDF is also the chair person of Speak? -- He was not representing the UDF there.

It is in volume 12 W70. -- In the first place, I do not know if he was the chairman of Speak. Even if he was chairman of Speak he was not representing the UDF on Speak.

Page 1 at the top right-hand corner "Speak demands for the immediate release of our chair person Murphy (30)

Morobe/...

Morobe."

COURT : Is this now Mafison Morobe of Murphy Morobe? Or is it the same person? -- It is the same person. We just sometimes write it like that.

What is the correct name? -- The full name is Mafison but people make it short.

ASSESSOR (MNR. KRUGEL) : So they say Mafi or Murphy sometimes? -- They say Murphy. But his name is actually Mafison. That may be so, but he was not on Speak on behalf of the United Democratic Front. He was - according to this (10) paper he was the chairman. He was there just as much as a member of any other church, may be a chairman of one of the committees of the UDF. It does not mean that that church is represented in the UDF. Unless it was an affiliate and it had appointed him to go and represent it there.

COURT : Apart from being the chair person of Speak, what does he do in ordinary life? -- At the time I cannot really help the Court and say what he was doing. I am not sure what he was doing. At some time he was the organiser for General and Allied Workers Union. I do not know at what point (20) that was and I do not know whether he remained there and when he ceased and so on.

MR FICK : W70 was found in the offices of Grassroots Cape Town. As well as in Benoni.

COURT : In the offices of Grassroots in Benoni?

MR FICK : Cape Town as well as in Benoni. I put it further to you that the so-called service groups like Afroscope and MARS were also working hand in hand with UDF media? -- You see, this phrase hand in hand, does it mean that they were affiliated? Does it mean that there were joint campaigns (30) that/...

that they undertook together? I just want to be clear on that thing. I disagree with you - if the State is saying that those organisations were affiliated to the UDF, I disagree. If the State says that the UDF under - reached an agreement and undertook campaigns with those organisations, I disagree. They were independent organisations operating independently. When their activities or when there may have been confluence between their activities and those of the UDF, that was purely coincidental. It was never as a matter of arrangement. (10)

I put it to you that Guy Berger of MARS also served in the UDF Transvaal media committee? -- Yes, but he was also a member of Johannesburg Democratic Action Committee which is affiliated to the UDF. He could have been appointed to the media committee or the Transvaal because he was a member of an affiliate organisation and because of MARS.

I put it to you that Calvin Prakassim of Afroscope was also working with UDF media committee in Transvaal? -- To the best of my knowledge he never sat in that committee. To the best of my knowledge he never sat in that committee, (20) unless it was after I was arrested.

I put it to you further that community newspapers such as Speak, SASPU National, attended UDF Transvaal's general council meetings? -- That may have been. Any newspaper could attend there if it wanted to cover the proceedings and was going to report on them. So, I would not be surprised if they did attend some of the meetings.

I put it to you further that the community newspapers like Speak, Grassroots, The Eye, SASPU were also affiliates of UDF? -- At some point, yes. At some point they were (30) affiliated/...

affiliated to the Transvaal but I also know that they ceased to be affiliated, but even whilst they were affiliated, they had independent policies, they took their own decisions about what to do and so on. We never had a hold on them. We never had a say on how they should run their papers, or what they should include in their publications. No, nothing like that. We never - we were not entitled to sit in the meetings of their board of directors or anything of that nature.

Will you please turn to EXHIBIT M2. It is a document (10) with the heading "Minutes of the General Council Meeting UDF Transvaal held on 12 November 1983." This document was found in the offices of SAAWU Pretoria.

COURT : Was SAAWU affiliated to the UDF? -- That is correct.

MR FICK : Please turn to page 1 of M2 paragraph 6.2 "UDF News. The next UDF News would be published on 18 November 1983. This would be a Transvaal edition and would focus on the local authorities' elections." Were you in any way involved in the publication of this UDF News? -- No, as the minute says, it was a Transvaal UDF News. (20)

Then 6.3 "UDF videos. These could be on sale at a minimum of R50,00 to affiliates and individuals at the UDF office." -- That is correct.

Can you tell the Court where did the UDF Transvaal obtain the videos? -- As I told the Court last week, these were prepared from the main tape that was made of the national launch. An edited version was produced and the head office made that available to the regions for them to sell to affiliates and so on, so that people who were not there can see what took place at the national launch. It is also (30) stated/...

stated R50,00.

That is only one video. What about the others? -- Which others are you referring to?

Of any other meetings, at the launch of SOYCO? -- I thought I told the Court last week that the UDF only produced the UDF national launch video. Several copies, many copies were made of that specific one. It was then - copies were given to the regions to sell and I told the Court last week all these other videos which are here are not the possession of the United Democratic Front. Some of them, as I said, (10) were found and they were in the possession of Afroscope. Some of the from University Journalism Department and so on. We do now own them. They are not ours.

Did you yourself view the video recording of the national launch some time after the launch? -- Did I see it?

Yes? -- I cannot recall specifically, but I think yes, may be once or something. I cannot remember. You see, I was there at the national launch. I know what took place there. I cannot remember that I had specific interest to go and see it again. (20)

Was there any complaint from anybody about the video recording of the national launch, that it was not reflecting the correct position? -- Not that I can recall. The fact is, it was an edited copy. I cannot remember anybody complaining about that.

I would like to turn to EXHIBIT R2, the minutes of the UDF Transvaal special general council meeting held on 14 July 1984 page 2 paragraph 4.7 under the heading "Media. The media committee reported the following: National media. Plans are on their way for a national UDF News. The (30) content/...

content of the newsletter would be finalised and a proposed national media workshop to be held on 21 and 22 July." Did you attend the workshop? -- No. As it will be seen, on the weekend of 21 and 22 July I was at the NEC meeting in Bloemfontein.

Where was this workshop held of the national media workshop? -- At Johannesburg.

Did anyone represent you on this workshop? -- No, not me.

Was there anyone representing the national media of UDF? -- No, what we had was representatives from all the media (10) committees meeting there.

Did they finalise the contents of the UDF News at that workshop? -- Yes, they did.

Were you satisfied with the contents of that UDF News? -- Yes. In fact the decision that was taken there was that some - they decided on some of the articles there, but the remainder of the other pages were left for the regions to fill up with articles which would have been of interest to the regions. Just to bring the people at local level closer to the paper.

Will you please now turn to EXHIBIT T1. (20)

COURT : Where was this found?

MR FICK : In the offices of UDF Johannesburg. This is a document with the heading "National Secretariate Report on the UDF national launching conference of the people's rally." Did you compile the report? -- Well, in part yes, because I was involved with accused no. 19.

Will you turn to page 3 paragraph 4, the last paragraph "It was strongly recommended that the UDF defines in clear terms the role of the National UDF News and spell out the relationship of the national publicity secretary to the (30)

UDF/...

UDF News." Did the NEC spell out the relationship between yourself and UDF News at any later stage? -- Well, yes, in the sense that the NEC did set out the fact that I was to take charge of the publicity and publications of the UDF.

Did the UDF define in clear terms the role of the UDF News? -- Not specifically. In fact I must say this, as a result of this recommendation and this report, this document here, document two or perhaps we may refer to it as D1. At the end of D1 we will find functions and duties of the secretary general and publicity secretary. As a result (10) of that recommendation the result was this section here. It does not specifically talk about the UDF. It does say that it will be the task of the publicity secretary to promote all the national media publications and publicity of the UDF. I think this same document T2 actually at the second document - it says put them all together.

WITNESS STANDS DOWN.

COURT ADJOURNS.

COURT RESUMES.

MOSIUOA GERARD PATRICK LEKOTA, still under oath

FURTHER CROSS-EXAMINATION BY MR FICK : Mr Lekota, will (20) you please turn to EXHIBIT T4. That is a report of the national secretariate meeting held on 10 March 1984 found in the possession of Y. Mohammed, Durban. Mr Y. Mohammed is a member of the national secretariate? -- That is correct.

He is a representative of Natal region on the national secretariate? -- He is one of the secretaries of Natal.

COURT : Just to remind me. The national secretariate, does that consist of you and accused no. 19 or regional secretaries or regional treasurers? -- Regional secretaries.

Only secretaries, not treasurers? -- Not treasurers. (30)

MR FICK/...

MR FICK : T4 page 1 paragraph 2 under the heading "Publicity. It was agreed that information bulletins be published regularly. Regions are to send information to be included to the general secretary. Affiliates and members of affiliates were asked to write letters to the UDF commenting on the Front and the issues it takes up. These letters will assist the publicity department." This information bulletin, is that not perhaps the UDF Update? -- It was hoped that that was the purpose it would serve.

At this stage March 1984, was there already a decision(10) to issue a document with the publication with the name UDF Update? -- No, it was only a recommendation up to that point in time.

I would like you to have a look at EXHIBIT AAX7. Do you know this document AAX7? -- That is correct.

It is a document with the heading "Recommendation for UDF publicity." -- Yes.

It is one of the documents found in your possession? -- That is correct.

Who drafted this document? -- I do not know who drafted(20) this document, but it was one of the people from some of these affiliate organisations and this was about August 1983. It was just shortly after the national launch.

After the launch? -- Yes. Just immediately after the national launch. It is not an official document. It was a proposal, some suggestion that he was putting forward.

To whom did this person make the recommendations? -- To me. I had just been elected.

Can you name the person? -- I cannot remember. It is one of the students from University Journalism School and(30)

so/...

so on. Most of these people are not known to one personally unless one works with them. You do not get to know the person as such.

Was he a member of an affiliate organisation? -- Yes, he was actually one of the members of NUSAS.

What did you do with the document? -- What did I do with the document?

Yes? -- First of all I had a look at it and, I had not really made up about it and the police found it on me and they took it. That was the end of the paper. (10)

COURT : When was it found on you? -- It was found on me - I cannot remember the date, but it was taken by the police from me at one of the roadblocks. I do not remember when it was. I actually had it for quite some time, this paper.

MR FICK : Why did you keep it for quite some time? -- I always thought that there might be ideas that I want to take here and make use of.

Did you make use of any of the ideas contained ... -- Nothing that I can specifically remember that I particularly took. (20)

For what reason did you not make use of it? You had it for a long time in your possession? -- Yes, but the national executive committee gave me my duties. I could have used it if there was something that attracted me and I felt this was okay, I might have done so. I cannot remember anything here that - up to the time that it was taken from me - I decided that I was going to make use of. But I did think that this was a valuable paper. So, that is why I kept it.

You did not discuss it at any meeting of UDF with anyone? -- No. (30)

Not/...

Not even at the meeting of the national secretariate?
-- No, no, I did not discuss it at any meeting. This paper has never been presented to any of the councils of the Front. It has always been in my possession. That is all.

I would like to turn to EXHIBIT C54 volume 4. It is a document found in the possession of M. Valli Lenasia. Do you know this document? -- I recall this interview. I cannot ... (Mr Fick intervenes)

It is only part of a document with the heading "Interviews, statements, debates." Then from the second page, (10) page number 78 there is an interview with the heading "The UDF on the unions." First of all, can you tell the Court what is SALB? -- That is South African Labour Bulletin.

Is that an organisation or publication or what is it? -- I know that they produced some publications. I cannot take the matter further than that. I do not even know whether they are set up by the unions or whether they are independent. But they produced publications.

With whom did you have the interview? -- It was one of the people, I cannot remember who. This is in 1983 now. (20) I really had been dealing with a lot of newspaper people.

Return to page number 79, the last paragraph. I will read from the third sentence. "The more workers come, the closer we are gaining truly national character. South Africa is still under colonial conditions and the struggle against imperialism is a struggle against capitalism. For this reason the working class must provide the backbone of the struggle." Was that what you had said or is that what you had said? -- As far as I can remember, yes.

Do you regard the struggle in South Africa inter alia(30)

as/...

as a struggle against capitalism? -- Yes, in the sense that ...
yes.

Is that also UDF's view? -- I cannot remember the
UDF ever pronouncing him on that question.

But you were not interviewed in your personal capacity?
-- No, no, but I am asked whether the UDF has taken that
position and I am saying that the UDF has never said that.

Is it contrary to UDF policy namely that the struggle
is inter alia a struggle against capitalism? -- I think in
the form, in the racial form in which it is perceived, (10)
it is in our country not so, because the position here that
is argued is that the system benefits one section and does
not benefit everybody and it is that character really that
has to be eliminated and it is in that sense that the point
is made. It is also in the sense of it being a situation
of colonial conditions where the present circumstances
benefit one section at the exclusion of others, where
these internal colonies are set up and the benefits flow
in one direction and the rest of the others merely provide
the brawn and do not enjoy the benefits thereof. It is (20)
in that sense.

What do you want in the place of capitalism? -- We
want a system that would benefit everybody.

Give it a name? Can you give it a name? -- Well, I
would say free enterprise, where you do not tie other people's
hands so that they cannot compete. And where you do not
place one section, to load it over the others. You open
the field for everybody to compete equally and then what
is going to be decided, is going to be a question of indivi-
dual performance and hard work. That is what we want. (30)

You/...

You see, as the situation stands at the moment, we are tied to a situation where we can only be at the service of others, but we would also like to own mills in our own right, farms in our own right, compete effectively against anybody else. You have got to open it up. This kind - what is prevailing at the moment, this situation as it is at the moment, if it is considered that is it inequitable, it must be accepted therefore that we must establish the system on a different basis altogether. It is only that kind that we are fighting. (10)

Will you turn to page 83 the second paragraph "It is true that the middle class tends to take over leadership and dominate community based organisations. The question is whether the working class can win genuine allies from the middle classes, for example intellectuals. Workers must not only - must join not only to give the UDF the numbers, but also direction to make their voice heard. Where possible the workers must also assume positions of leadership." Is that what you had said? -- That is what I said. In fact, that explains I think - the other day the Court (20) did raise with me the question of what we meant by working class leadership and to the best of my knowledge, that is how we understood it and this explanation tallies with what I said at the time. That workers must not only come there and that is that, but they must participate, they must make their voice heard.

Is this also UDF policy? -- It does not clash with UDF policy. I have not heard - I do not know of a point where UDF ever decided on this question, but it does not clash with our position in the UDF. It certainly does (30)

not/...

not clash with the fact that workers must participate in the organisations effectively and that their voice must be heard.

Will you please turn to EXHIBIT C85 volume 5. This is a document with the heading "National Secretariate dated 7 July 1984" found at the offices of UDF Cape Town. Will you please turn to page 14 the second paragraph "Action. Demo's, marches 21 August, mass meetings, challenges to collaborators, unity chain, walk run, acts of defiance, conscience." What can you tell the Court about demonstra-(10) tions under this heading of action? -- I think this was in relation to the anti-election campaign and there what was suggested was that perhaps we should explore the possibility of some members, prominent members of our communities to demonstrate by marching with placards sayin that they reject the new constitution. That is about what I can remember. As you can see it actually says 21 August.

COURT : 21 August 1984 I take it? -- Yes, this was in 1984.

K946

Were you present at this meeting? -- Yes, I was present at this meeting. (20)

MR FICK : And what did you discuss and decide on challenges to collaborators? -- That included writing letters to some of the leaders of the participating parties inviting them to public meetings to debate the pros and cons of the new dispensation.

COURT : 21 August, was that an election date? -- No, it was not. You see, all these issues here were suggested as possible actions that could be taken in the regions, merely to strengthen our anti-election campaign. So, in some instances where people felt it suitable, they would organise(30) demo's/...

demo's by prominent personalities. Where not, some would organise mass meetings. Where not, others would write letters to the leaders of these parties and challenge them to come out to public debates on the question. Elsewhere where it was suitable they would organise what was called a unity chain and that really involved activists of African, Coloured and Indian communities standing in line and holding hands just to show that whilst the policy of the government divides people, we stand for unity. Then there were suggestions such as walks, where may be people would wear UDF T-shirts(10) and whatever else and walk with may be a placard which says "We reject the new elections" or whatever. Any form of action of that nature. May be walk, may be a run. In fact by this time I remember there was a proposition that there should be a run from Pietersburg to Cape Town. That I can recall. It would be a relay, where some runners would run a certain amount of time or distance and then pass it on to the others and all that. All forms of action that would focus national attention on the UDF. All of them within the UDF policy of non-violence as long as they drew atten-(20) tion to our message that we do not accept the new constitution. You can see all of them, as they stand there.

MR FICK :

What acts of defiance would you want? -- It does say defiance or conscience.

Yes, what acts of defiance ... -- I think may be some of the people - I would be more at home with the question of conscience. May be some people may go and stand with a placard at some point, may be just to attract and provoke public attention and provoke their conscience on this question.

(30)

No/...

No, but I am not asking you about conscience, I am asking you about acts of defiance? -- No, it says defiance or. Do you see that stroke? It is or. So, he did not have an appropriate word and I am saying the appropriate word is conscience. Must provoke public conscience. He should have written there conscience. That is why he made a stroke. Or that. So, it is just may be his lack of vocabulary.

COURT : So, would the same apply to walk/run lack of vocabulary? -- That may be an alternative, because some may (10) walk, others may run, whichever suits them.

MR FICK : Did they not discuss at this meeting acts of defiance? -- No, no, the question of a defiance campaign had been raised at some meeting and it was thrown out by the NEC. Let me see, it may the minutes of, as early as June I think, that suggestion was made that there must be acts of defiance. I will find the reference in a minute. In fact, this document we are looking at now - I am sorry, what document were we looking at?

ASSESSOR (MR KRUGEL) : It is a minute of some sort, C85. (20) -- This document is some personal note made by one of the secretaries who was at this national secretariate meeting. The one that made the recommendations to the NEC. Earlier on this morning I referred to the recommendations in H2. That is right. C85 is some notes on the same meeting as the one that produced the recommendations. It will be seen that when the matter was discussed in July, H1 page 4 at 7.4 - paragraph 7.4 it says that "No agreement was reached as to whether the UDF could call for a defiance campaign."

But this was on 22 July, 21 and 22 July? -- It was (30)

subsequent/...

subsequent to ... (Mr Krugel intervenes)

This meeting of the 7th? -- That is correct.

MR FICK : According to EXHIBIT H1 paragraph 7.4 the matter was referred to the regions. Is that so? -- No, no, it says "The emphasis made was that every action taken must win the UDF more supporters. That those involved must understand the implications of the action that they suggest. It was accordingly recommended that the matter be discussed seriously by all the regions, as it is likely to have far reaching implications for the UDF." As at this meeting it was (10) decided that we cannot take a defiance campaign and the suggestion was there, however, then the NEC said "People can discuss it more, but it is important that they must understand that every action that is taken must be action that strengthens the UDF." As far as I know, that was the end of the road for that suggestion. It died there and it was finished.

Must I understand you then that it was not at this meeting of the National Secretariate of 7 July 1984 discussed what acts of defiance you could ... -- Yes, I am saying (20) that. The issue of defiance was never discussed at the meeting of the secretariate in July, on 7 July. The issue was suggested here, for a fact here.

You say the word "defiance" in the minutes C85 is only because the person who wrote the minute in that case was not sure whether he should use the word defiance or conscience? -- I was in the meeting. Now, I say in that meeting the issue of defiance, or a defiance campaign or anything like that, was not discussed there. It did not arise. That is why I said that that man, as far as I am concerned, put (30) the/...

the stroke conscience and I say that when the issue did not arise it was here at this meeting, I remember it specifically.

I put it to you that you are wrong. Defiance was discussed, the question of defiance at this national secretariate meeting on 7 July 1984. Will you turn to EXHIBIT T8. It is a document with the heading "Notes on secretariate meeting" then from the second page it is clear it is on 7 July 1984. Document found in the offices of UDF Johannesburg. First of all, do you know this handwriting? -- Yes.

Whose handwriting is that? -- It is that of accused (10) no. 19.

And the handwriting in EXHIBIT C85, do you know whose handwriting that is? -- I think that is that of Trevor Manuel.

Will you please turn to page 18 of EXHIBIT T8 the second paragraph from the top. Also under the heading "Action. Demo's, fifty national figures, parliament, demo's and mass meetings, challenge to collaborators, unity chain, walk and run, acts of conscience/defiance." -- Yes, that is what it says, but what I am saying is that the question (20) of defiance that we discussed whether we were going to have a defiance, was not the issue, it was not discussed there.

COURT : So, this means that two persons made a mistake. No. 19 and Mr Manuel? -- The point here is, to describe precisely what the people were - what the suggestion was about, because in fact at that meeting there, even if we look at the recommendations for instance there - when we look at this document H2, we will find that even this issue here is not raised here in the recommendations to the NEC. As far as I remember distinctly in my mind, this matter (30)

came/...

came up in the course of discussion. It was just brought up by some of the members of the NEC there. It was not part of the recommendations that had come from the secretariate itself. This document here H2, if we look at it, we will find that there is no way where an issue is raised as a recommendation to this NEC and to the best of my memory, the matter arose from discussion - somebody raised it, some of the NEC members, not from the secretariate and it was here - in relation to the minutes of 7 July, the matter that was - we had to take acts of conscience that would provoke (10) people into thinking and contemplating about this. Defiance was not raised - the issue of defiance was not raised there. May be somebody in an attempt to say what exactly what he was suggesting may have said one can call it an act of defiance or an act of conscience and so on, but I know for a fact that we did not discuss the question of defiance there.

MR FICK : Is there anything in the minutes EXHIBIT H which refers to the acts of conscience? -- No, but that is precisely my point. I am saying that the issue of defiance as discussed here is not related to the meeting of 7 July. That (20) is what I am saying to the Court. I am referring to H2. I say H2 which is the recommendations that came from the national secretariate to the NEC does not in itself reflect it and I am saying that this issue was raised in the course of discussion there by one of the people and not as a recommendation that came from here.

What happened to the discussion on acts of conscience at the national secretariate meeting? Did you make any recommendations at the NEC? -- The recommendations to the NEC, the issues which were recommendations to the NEC (30) are/...

are here in H2 and they do not include that thing of defiance. I am now saying to the Court that because - that in any event, these issues which were raised here about unity chain and what not and so on and what not, those issues were not be - it was not to be decided whether they should be taken or whether they should not be taken. The issue of defiance as was raised in this meeting here, was whether it should be taken or not. It was raised from the floor and the NEC said no to it.

Before we put down T8, page 18 what can you tell the(10) Court about the note there under the heading "Action. Fifty national figures and parliament"? -- As I have said earlier on, these marches were to be of prominent people within communities. The suggestion was that regions should look into the possibility of getting some prominent people, church leaders, educational leaders, people with standing and that those people, it had to be a small march, nothing pulling everybody in, but something that would provoke public attention and then they would have placards there and they would march, for instance say they march to parliament or may be(20) they march to Union Buildings. Some place - a march like that, a small march like that, that would be used to say we reject the new dispensation and you will see that the minute in T8 and the notes traversing this, do not reflect every point of that, but that was the thinking.

EXHIBIT C85 the very first page - this is still the minutes of the national secretariate meeting held on 7 July 1984 - more or less in the middle of the page under the heading "Arising from NEC" let us say the second paragraph. "Future of Front. Targets. Alternatives. Prepare approach(30) before/...

before 22 August." Can you tell the Court to what does this refer? -- Specifically what the targets and alternatives refer to?

Yes, future of the front, targets, alternatives, et cetera, prepare approach before 22 August" -- Let me just refer to ... (Mr Fick intervenes)

Let me put it to you, is it not referring to the input on political aspects which were part of the minutes of the meeting of NEC on 10 and 11 November 1984, EXHIBIT J1 and J3? -- I will respond to that. Let me just have a look at (10) this T8 quickly, please, because as far as I can see there, what it says is that the future - the question of the future of the front must be discussed and then it says that we must prepare approach before 22 August and prepare for an organic input, I think prepare a full statement on that thing. I do not think it refers to that paper at all. Let me look at T8 any way. I think this section that counsel was referring me to corresponds to page 1 of T8 paragraph 6. It says "Matters arising out of NEC" and this other one only says arising from NEC. It deals with Inkatha and (20) then it moves on to NEC workshop and venues for meetings, but I think the part that we are interested in, deals with the future of the Front.

Is that not page 2? -- Yes, page 2. In T8 it says "National convention must be expanded or the future alternatives of the Front." Then it deals with targets that we are going to use. The line must emerge before 18/19 August. That the NEC members be consulted in advance re workshop. So, what it is dealing with here is, it is really a recommendation that is made that the matter of the future of the (30)

UDF/...

UDF, its position in the national convention and so on must be taken up at the meeting of the NEC. The matter must be discussed there and so on. I think this man made these notes at the time when this discussion was going on. So, it is just merely a recommendation, issues that are to be picked up and so on. In H2 at page 1 "Recommendations following this meeting" that is referred to in C85 and T8. Under point 2 I think it is clearer there. It says that "On overall strategic line be worked out for the campaign. The line can be broken down to the following: Overall political(10) line. Explaining and restating our commitment to a national convention. It must further pinpoint local options." So, we can see here that this debate on this question recommended there and then the recommendation is carried to the NEC and it is as a result of this recommendation that in H1 the discussion on the national convention takes place. It does in fact say restate - restating our commitment to a national convention.

COURT : Could I have some clarity. There was a workshop that was converted into an NEC meeting. Is that the NEC (20) meeting of 21 July 1984 or was it a workshop on 13 July 1984? -- Will the Court repeat the question, please?

I remember that a workshop was converted into an emergency NEC meeting. Was that the meeting of 21 July 1984, I refer now to H2 that is the NEC meeting which is referred to there or was it a previous one on 13 July 1984? -- We did not have a meeting on 21 July. But let me put it this way, the meeting of 21 and 22 July 1984 was initially intended to be a workshop and that can be seen from H1 at page 1. "It was decided that the workshop be transformed into an emergency(30)

NEC/...

NEC meeting." So, initially, when the meeting was organised, it was intended to be a workshop of NEC members to discuss this issue so that they could have a common understanding, but then it was changed.

But then I do not understand the heading of H2 because one would have expected H2 to read "Recommendations to the workshop." Now you have recommendations to the sitting on 21 July in Bloemfontein of the NEC which sitting could not have been expected when H2 was compiled? -- That is correct. I think possibly may be comrade Popo might have anticipated(10) that that would be the position. He may have anticipated the position, but essentially, this - I agree with the Court - should have read National Secretariate recommendations to the UDF NEC workshop or something like that. It should have read that way, but may be he anticipated that there would not be problems and then he let it be typed that way.

MR FICK : I would like you to turn to EXHIBIT D1 minutes of UDF held on 10/11 September 1983 in Durban, page 2.

COURT : Where were these found?

MR FICK : UDF offices Johannesburg. Turn to page 2 para-(20) graph 4.2.2,

ASSESSOR (MR KRUGEL) : I think there is a problem with the page that you call page 2. I think that will be page 1A. Page 2 is typed in.

MR FICK : I am sorry, the second page.

COURT : The first page we will call 1A and the second one page 1B. You are referring now to 1B?

MR FICK: 1B paragraph 4.2.2. under the heading "Orange Free State new developments." The third sentence there "Experienced NEC members to run two workshops." Can you tell the Court(30) anything/...

anything more about the two workshops? Were they conducted?

-- Some time in late 1983 we had a meeting what I think can be construed as a workshop with some of the people in Welkom.

Can you put a date to that workshop? -- I cannot remember the date.

It was in 198? -- 1983.

And it was in Welkom and who attended the workshop? That is from UDF? -- It was myself and accused no. 19.

Only the two of you from UDF? -- Yes.

Was there any organisation represented at the workshop(10) in Welkom? -- There were some local members of COSAS there.

Only COSAS? -- There were other members of the community.

What was the purpose of this workshop? -- Merely to explain the UDF et cetera. Its policies and so on.

Were any decisions taken at this workshop? -- No. A workshop is not a decision making organ. It is just you have a couple of people and then you explain to them about the organisation and so on. They may take what you have to say and they may not take it.

Any other workshops in the Orange Free State? --No. (20) I cannot recall any as I stand here.

You did not attend a workshop in Parys? -- No, we never had a workshop there.

Will you please turn to page 5 of the same document. According to paragraph 16.1 which deals with unions and FOSATU you as well as accused no. 19, Professor Mohammed and Reverend Chikane were members of a delegation - that is apparent from paragraph 16.1.3 on page 6.

COURT : Is it Professor Mohammed or Mohammed Valli? -- No, this refers to Mohammed Valli.

(30)

MR FICK/...

MR FICK : Did you hold any meetings with FOSATU, the delegation? -- This meeting, yes, we did. I am not sure, I do not think Reverend Chikane was there, but I think the three of us were there. This particular meeting we did hold.

And did you and FOSATU agree on anything? -- No. We - they gave us an opportunity to say what we wanted to say and no agreement was reached. They were supposed to come back to us, but they never did.

Did you not follow the issue up? -- When we discussed(10) the matter - we left the meeting with the understanding that they were to - we had taken the initiative and come up to them and they were going to discuss the matter in their own councils and they would then come back to us. They did not come back to us.

Will you now turn to EXHIBIT F please. The Minutes of a meeting of NEC held on 21 and 22 January 1984 Pretoria at which you were present? -- That is correct.

Found in the possession of Y. Mohammed Durban. On page 5 paragraph 10.1 under the heading "Conscription. Rally. The(20) Western Cape reported that a rally had been planned for 26 January 1984 in the region. Speakers from SWAPO was expected as well as Comrade Terror." Did you turn up at the rally? -- No, I did not.

Why not? -- As usual, I got arrested.

The speaker from SWAPO, do you know who that speaker was? -- I do not know. I got arrested. I never reached that place.

Were you not informed beforehand about the speaker of SWAPO? -- No, I was not organising the meeting. I was (30) myself/...

myself to be a speaker there. I got arrested and that was the end of it. I slept in the police cells at Welkom. That was the end.

Will you please turn to EXHIBIT T5. This is the minutes of the national secretariate meeting held on 10 and 11 March 1984 at Jiswa Centre in Johannesburg and according to the minutes you as well as accused no. 19 were present. Is that correct? -- That is correct.

This document was found in possession - in the offices of UDF Johannesburg. Will you please turn to page 3. (10) More or less in the middle of the page - sorry, let us start with the first one. Page 3 under the heading "Namibia. Commend the two secretaries for seizing the initiative of meeting Ja Toivo." You were one of the secretaries? -- That is correct.

And accused no. 19 was the other secretary who met Herman Toivo Ja Toivo? -- No, no, it was not him. It was myself and Valli Mohammed.

This gentleman Herman Toivo Ja Toivo, who is he? -- He is one of the Namibian leaders. (20)

He was recently released from jail. Is that correct? -- At that time he had just been released.

Why was he in prison? -- For his activities in SWAPO.

Not his activities in SWAPO, his illegal activities. Is that not more correct? -- If he was found guilty, I assume he had been found guilty of some illegal action or the other.

Do you not know why he was convicted? -- I know he was convicted for his activities in SWAPO. I told the Court here I have never bore into his background to find out what had he done. That I told the Court some time ago already. (30)

Why/...

Why did you go to meet him after his release? For what purpose? -- He was here at the airport at Jan Smuts and we got to know that he is there. We went to meet him as a result and we went to meet him because he is a leader of the people of Namibia. If he is in our country, it is just courtesy, you know?

COURT : Was he in transit? -- He was in transit.

From where to where? -- From Namibia - he was going somewhere, to Europe.

MR FICK : The next paragraph with the heading "Talks with(10) neighbouring States by South Africa. That it be ensured that the document is acquired to equip the Front with the facts, a statement prepared by Terror and Yunus." What did you discuss on this issue "talks with neighbouring States by South Africa"? -- You see, this was shortly after the signing of the Nkomati accord. We were being asked by newspapers and other interested parties as to our views on the matter. We then decided that we must first get the document and study it and then prepare a statement of response by the UDF. (20)

UDF was not happy with the Nkomati accord. Is that correct? -- We needed to get a document to decide what our position is. This is why it is said here we must go and get the document and then we can work out what the opposition is.

Did you obtain the document? -- No.

Did you prepare a statement, you and Yunus on talks with neighbouring States by South Africa? -- No.

Did UDF not at any stage later on make known its attitude with regard to the Nkomati accord? -- We could never(30) find/...

find this document. We never prepared any statement. This statement was never prepared.

COURT : Why was the invitation from the Potchefstroom University rejected? I thought you were busy with an outward movement? -- I cannot now remember exactly the facts, but I think on evaluation of that specific invitation, it was our feeling that it would not benefit us in any way. I think the invitation was really for some academic paper to be drafted and so on and we did not think it was a useful invitation. (10)

MR FICK : Will you please turn to EXHIBIT T6. It is a summary of the minutes of the joint national secretariate and treasury held on 28 April 1984 and according to the minutes you as well as accused no. 19 were present? -- That is correct.

The document was found in possession of Y. Mohammed, Durban. I just want to put something on record. I see from paragraph 3.10 on the second page there it is noted that Cassim Saloojee was mandated to go abroad for the purpose of fund raising? -- Yes.

And you say even at this meeting he did not disclose (20) which agency or organisation he intended to visit? -- I cannot remember that he did.

Paragraph 5.2 "It was agreed that a meeting be set up between the UDF and the secretary of SACOS, Morgan Naidoo with a view to disclosing a joint strategy against the tour." Did such a meeting take place? -- I cannot remember whether it did take place. I think the Natal region was asked to handle this matter to the best of my memory, but I cannot remember whether we did in fact meet him.

Did UDF itself decide on any strategy against the tour (30)

of/...

of the British Lions? -- Not that I can remember.

From the next page paragraph 5.3 I see that it was reported by the publicity secretary that a telex and letter had already been sent to SANROC? -- Yes.

Who is SANROC?--SANROC is South African Non-Racial Olympic Committee.

Where are their offices? -- I think London.

Is it correct, did you send a letter and telex to SANROC? -- That is correct.

For what purpose? -- As I told the Court earlier on, (10) expressing our opposition to the tour and supporting them for their campaign.

Will you please have a look at EXHIBIT AB15 volume 2. This is a document addressed to "Our dear comrades, SANROC" from Mosiuoa Lekota, UDF publicity secretary found at the offices at UDF Johannesburg.

COURT : Is this your draft? -- This is my draft

MR FICK : This is now the draft of a letter or a telex? -- This is the draft of the letter.

Can you place a date on this letter AB15? -- It was (20) around this time, shortly before this meeting. It was before this meeting of April 1984.

Did you write this letter on your own initiative or were you instructed by anyone to write the letter? -- I wrote it on my own initiative.

For what purpose did you write this letter? -- It does say the purpose. It does say first of all that we wanted to express our opposition to this tour.

COURT : Why was it a racist tour? Were the English racists? -- Racists in the sense that the tour was a visit to this (30) country/...

country, to the White section of this country where we did not participate fully in the sporting bodies of the country. In that sense.

You mean they were not going to play against teams which contained Black players? -- They were going to play against a White - they were going to play against the Springboks.

Was the Springbok team not an open team at that stage? -- No, no, it was not. It is not open. Even till today it is not an open team. If sport is to be open in the country, there must be quality of opportunity right from the base.(10) One cannot take one Errol Tobias there and then say this is non-racial. It is not. It is on that basis that we say this. The lowest levels where people gain access to facilities to the training and so, we must have equality of opportunity. Then we can talk about that. Not taking Errol Tobias and window dressing with him and saying it is non-racial. That is not. Our objection is against that.

MR FICK : I see you also referred to Loftus Versfeld and Caledonian. -- Yes, I cited those as examples.

But you did not inform the people of SANROC who paid(20) for Loftus Versfeld. It was a private enterprise. It has got nothing to do with the State. I will not go into that, but I will tell you something. Whilst the national football league was only a White league there, only White players are playing there, Arcadia Shepherds used that stadium there for their home games. The moment White teams were mixed with Black teams, only on the professional level, right at the top there and Black players were to play on Caledonian, because Blacks were going to go there, Arcadia Shepherds was denied that. They had to go and play in Mamelodi and(30)

Atteridgeville/...

Atteridgeville. That is the apartheid we are talking about. Why all along - all the years Arcadia Shepherds were allowed to play there, the moment Black players - Arcadia was going to compete with Black teams, they were denied that opportunity. It has taken some years.

COURT : Was this letter sent off or was it merely a draft?

-- It was sent off.

MR FICK : The same EXHIBIT AB15 the second document, a document with the heading "Cradock community and the seige of the department of education and training and security (10) police." That is also in your handwriting. Is that correct?

-- That is correct.

For what purpose did you write this? -- This is the report that I prepared for the NEC. I told the Court here earlier on that I went there and I had to draft a report to say what was the position there. This was actually after this meeting here.

Why do you say Cradock is a community and the seige of the department of education and training? -- When I got there the police were surrounding, the whole township was (20) just closed in by the police there and so on and going in there, if you want to go in there, people were getting arrested and so on.

No, that is not the question. The question is why do you say "Cradock is a community and the seige of the department of education and training? -- On the basis of what I have just said. I had been there and I saw what happened there.

What has the department of education and training to do with the security police for one? -- No, no, (1) the (30) department/...

department of education and training transferred the teachers. The community raised an objection against that, because they did not have subsequent teachers for the children when that happened and then in the process the police came in there. It was on that basis. I did not write this before. I wrote this after I had been there.

COURT : This does not mean that the community is under seige by the department? -- It will be found that there was close co-operation between the police and the department of education because the department of education and training(10) had transferred the teachers. When the community complained about that, the police were called in and some of the leaders of the community were arrested and even there in the township itself it was surrounded by police. So, it was seen as joint action between the police and the department of education and training.

If the schools' authorities were not threatened I cannot see why the police would have been brought in or was it merely a question of harrassment without any provocation? -- The teachers had been transferred. The community was (20) not given substitutes for those teachers. The community then says if you take our teachers, you must give us substitutes. We want our teachers, because we have no objection against them.

So, the department brings in the police? It sounds odd, you know? -- But the department called the police. It did.

But why? -- Because the people were not prepared to allow those teachers to go, because the people did not have teachers.

(30)

Were/...

Were the people then taking over the schools or something that the police were called in? -- I did not get any information that the people went to take over the schools, but I got the information from the people that the people had asked the department of education and training that teachers must remain there because they do not have any subsequent teachers. That was the complaint of the community.

WITNESS STANDS DOWN.

COURT ADJOURNS.

COURT RESUMES.

MOSIUOA GERARD PATRICK LEKOTA, still under oath (10)

I took advantage of the break just to take a look at the document. In relation to the question that the Court raised before we adjourned. I think it puts it a bit more accurate than the way I put it.

COURT : Which document is AB? -- Yes, AB15. I think it gives a better picture at page ... (Court intervenes)

That is now of your document headed "Cradock"? -- That is correct. I am referring to page 3. May be I should just start reading from the top "On 1 February a delegation saw the regional director, Mr Melborne in this regard. (20) By then students were already demanding an SRC for a more effective representative structure instead of their ineffective prefect system. By 3 February when issues were discussed, once more students were informed that nothing could be done about the SRC. The boycott had now been joined by Sam Xhali secondary School where he had served as vice-principal, who were demanding that Goniwe should be returned to their school if Lingelihle staff was not pleased with him. This effectively put all students in the boycott campaign with the community very indignant at the attitude of the education (30) authorities/...

authorities. Instead of redressing the situation by meeting students and community demands, police were called in and teargassed boycotting students and so on." I think in - may be I should just complete this. "In a meeting called by CRADORA it was resolved that parents and students should avoid assault and rather that the community should find out why police were called and why", but I think that should be "and by whom." I think the question that the Court had raised why the police had been called in, I think this is the best I can say to the Court how - as best I can recall (10) that that is how they had come to be called. It is on my reading of this document correct that having complained about the transfer, the students went on boycott and it is correct that it was as a result of the boycott that they were called, but as I recall they were called by the education authorities themselves. So, it was in the light of that that my earlier remarks were made.

In the boycott, did they stay away from school or did they occupy the schools illegally, because if they just stayed away from school, I cannot see how the police could be (20) called in, but if they did occupy the schools where they were ordered to move out, then I can see why the police were called in. -- The next paragraph of my paper will clarify the position. It says that "That Friday, after a short break, students did not return to class according to Mr Magadu."

Who is Mr Magadu? -- I think it is one of the teachers or so. Any way one of the elder citizens there. Now I recall, he was one of the principals. "He said he had seen some students pull others out of class and they defended (30) co-operative/...

co-operative students. He had never asked students why they had not returned to class and that he had refused to negotiate with them and called the police. The account goes further on to state that Mr Magadu further" I think this is cut off there. The last sentence is that "Further evidence is that security police had fetched their own children and then SA Police moved in. They withdrew their children." Even this account is an account that I got from people as I was consulting them collecting the information and this is to the best of my knowledge how matters (10) were presented to me and that is how I presented them later on to our NEC.

FURTHER CROSS-EXAMINATION BY MR FICK : Mr Lekota, Did you go to the police to try and find out what their version was? -- No, I did not do that.

Did you try to go to the - did you discuss this matter with Mr Magadu? -- No, I did not do that. I only collected information that was available to me and came back.

COURT : Could I just get clarity now. How many schools were there in Cradock? Were these the only two schools? -- No, (20) there were more but these were the two secondary schools. These were the schools really that were involved.

Were these in the African township or in the Coloured township? -- In the African township. The Coloured township is on the other side.

This was not in the Coloured township? -- No.

This was in the African township? -- This was in the African township.

Were these the only two secondary schools there? -- To the best of my knowledge, yes. (30)

MR FICK/...

MR FICK : So, you say you did not discuss this with Mr Magadu either? -- No, no, I did not meet him. I think - I do not know where I could have found him if I wanted to meet him.

On page 2 why did you put a heading "Boycott the road to Pollsmore"? What has that got to do with the Cradock issue? -- There was a boycott and it was as a result of that boycott that a number of people were detained. That is how I understood the situation. In any case this thing here will say.

COURT : But now the people in Cradock, were they detained(10) in Pollsmore? Is that not very far away? -- It is very far away. They were detained in Cradock and then they were taken there. Some were taken to Johannesburg prison here and we have also found at least one of them who was detained there when we ourselves were detained in August.

MR FICK : Will you turn to page 4. There is also a heading SANROC P.O. Box 235. Was this also forwarded to SANROC? -- No, you see, what happened here is, I have looked at this and I myself was surprised, but I think in the photostating or whatever happened here, if we look at page 1 of AB15 you(20) will see that what appears there is actually what appears here at the corner of this page and this is the last page of this. May be in the photostating some mistake happened, but the two are evidently not the same.

COURT : I think this SANROC P.O. Box 235 should not be in our copy on page 4. It seems to me this is the fault of the photostat machine. -- That is how it seems.

MR FICK : Is it also correct that at that time Mr Goniwe was chairman of CRADORA, The Cradock Residents Association? -- Yes, as far as I can remember. Yes, he was. (30)

And/...

And they together with CRADOYA, Cradock Youth Organisation or Association at that stage were campaigning for SRC's? -- No. At page 3 the portion that I quoted, it actually says that the protest began as a result of the transfer. Then it says - I will only read the two lines at the top of page 3 "On 1 February a delegation saw the regional director, Mr Melborne in this regard. By then students were already demanding an SRC for a more effective representative structure instead of the ineffective prefect system." When the issue of the complaint against the transfer began, the (10) issue of the SRC was out of it, but it was as a result of - the students felt that the prefects were not effective, they must now demand that they must have a more effective representative structure. That is how I remember it as it is reflected here.

The SRC's was also a demand of COSAS? Is that correct? -- At some points COSAS may have raised the question, yes. But clearly, this is not connected with COSAS here. On this document it is clear that it is not connected with COSAS. It is a matter which arises there and it is influenced (20) by the circumstances there.

Will you please turn to EXHIBIT T9. This is the UDF'S office's report to the NEC.

COURT : Where was this found?

MR FICK : UDF offices Cape Town. Dated June, 1 1984. Will you please turn to the sixth page the second paragraph the second sentence "Efforts have been made by the national office to present the position of the front on the trip. The message has been telexed to organisations and major newspapers." What efforts did the national office do to (30) present/...

present the position of the front on the trip? Anything other than the telex to organisations and newspapers? -- That is exactly that. It is reporting on what is done. The message has been telexed to organisations and major newspapers. That is all.

Were you party to the telex? -- To the message, yes.

Which organisations did you contact in this regard? -- I sent the message to - one of the newspapers to which I wrote was the Guardian.

That is now in the United Kingdom? -- That is correct.(10) I think perhaps also to some church groups in Netherlands and we also addressed a letter to the Holy Father, the Pope.

What about the Anti-Apartheid movement in London? -- No. They may have read about the UDF attitude, may be in the newspapers or so, but we did not write them specifically any letter.

What was the position of the front in regard to the trip of the State President? -- The position of the UDF was that the State President must abandon the new constitution, he must convene a national convention and solve the(20) problems of our country with the people of South Africa.

I put it to you this was done in furtherance of UDF's endeavours to seek the international isolation of South Africa? -- No, it was done in order to enlighten those people I have referred to, so that they could put it to the State President that the suggestion of the UDF was a call for a national convention and that that would be the best path to find a political solution to our country's problems.

Will you please now turn to EXHIBIT AB21. These two documents were found in the home of accused no. 20 according(30) to/...

to the admissions. I refer to the second document with the heading "Students as the lifeblood of the people's struggle."

COURT : Are you the author of both? -- I am the author of both, yes. I must also say to the Court with regard to the poem, that was drafted by myself back in 1975, more specifically on 29 July 1975. There is a small number below the foot of that document 297-1. The 29 is a date, a specific date and the 7 is for July. I just put the 1 because if I draft poems in the course of a month, I must just number them just to know how many I did or what number that one was (10) and so on .

It is not the other way round, this is not your 297th poem in the first year of being a poet? -- No, it is not. I recall the occasion quite well.

MR FICK : According to the first page the very first paragraph, this was drafted to be used at the 7th anniversary of the June, 16th 1976. -- 1983.

Is this a speech? -- This was intended to be a speech.

Where did you deliver the speech? -- It was to be delivered at the University of Natal, Durban, but I then (20) fell ill and I had to go for an appendicitis operation. I was therefore unable to deliver it. I had already drafted it and it was always in my house there. It was found there at home.

Were you invited in your personal capacity or in what capacity? -- I had no public capacity other than my own personal capacity at that time. I did not serve in any structure or in the executive of any organisation. So, it was just my own document and I was invited in my own personal capacity. (30)

The/...

The very last page the last paragraph the tenth line from the bottom. Perhaps I should start a little further up. There is a sentence starting with "Together with eight others, I was in Pretoria Prison," "When Soweto 1976 exploded we heard the news in court when families and relatives related it. We saw initial photo's of what had happened the day before, but even though we knew what possible fate lay ahead, we felt one with those who were engaging the enemy. We would learn later that student power alone was not enough to free the people. We had to learn this truth." Do you(10) regard 1976 the Soweto uprisings as a struggle of student power to free the people? -- No, but I do regard it as part of our struggle to do away with apartheid. The policies which were resistes there, were policies of apartheid.

K947

Then it goes on "What had not been done there and elsewhere. In the face of a million bullets, in the wake of a million smoke bombs, we stood barehanded and watch our brothers fall into the dust of the ghetto street, with tears streaming down our faces at the sight of our fallen brothers, we flung our beings at the hollowguards of (20) apartheid." Is this a sort of a poem of what is it? -- It is actually a poem.

Your own poem? -- Yes, again drafted back in 1976 shortly after June, 16 1976. It is quite an old poem that I drafted.

Then it goes on "Oh, Soweto, nobody knows your pain. Nobody knows your anger. Nobody has seen the rivers of tears our mothers shed as they fought by our side. We donned out our handkerchiefs as gasmasks. We took dustbin lids as our shields. Stones were our bullets and paraffin bottles(30) were/...

were our bombs." -- It is a poem. It is not even completed. There is one paragraph that is missing there. It will be seen that where it says one had not been done there and elsewhere : and then the whole beginning of that is different. "In the face of a million bullets. In the wake of a million smoke bombs. We stood barehanded and watched our brothers fall into the dust of the ghetto street, with tears streaming down our faces at the sight of our fallen brothers. We flung our beings at the hollowguards of apartheid. Oh, Soweto, Soweto, nobody knows your pain. Nobody knows (10) your anger. Nobody has seen the rivers of tears our mothers shed as they fought by our side. We donned our handkerchiefs as gasmasks. We took dustbin lids as our shields. Stones were our bullets and paraffin bottles were our bombs."

This is a historical poem. It actually records graphically newspaper reports at the time, where they said students were going there and then the police confronted them.

COURT : But is it your poem or somebody else's poem? -- It is my poem. It was written in 1976 just where accused no. 3 is sitting. I wrote it from there. This is his- (20) torical. It records vividly in fact - if we got newspapers of the time, it will be seen clearly that this reflects what was said there in the papers. Students were marching there as you can see there and then all of a sudden police let go with the shooting, according to the newspapers. Then for a while students were just bewildered, because they had not expected anything of this nature and when they ran away from there, they started rioting, throwing stones and things like that. There were pictures in the newspapers in the subsequent days with some of them holdig dustbin (30) lids/...

lids, because the teargas was being thrown around and the bullets were being shot and so on. So, this poem details - it is what one might call a historical poem. It records the facts of what took place, but I was just sitting here. When I was going to talk to the students here, I wrote this - it will be seen from page 1, page 2, 3, 4 in fact up to page 6. I deal extensively with the history of students' organisations, both African, English and Afrikaner student organisations. I detail that. I deal for instance with the history of the organisations like N.G. Kerk, Afrikaner(10) Studentebond, the PFP and National Union of South African Students, Youth Organisations in the African communities. I come down that way until I come to SASO and that family of organisations into the time when I myself was arrested and then I left. So, this is just a historical paper, but because the occasion was June, 16 it felt that it would be appropriate to finish off my talk by reading that poem, which I had drafted at the time. Unfortunately then I fell ill as I say with appendicitis and I was in hospital at the time with an operation when the day came. So, I was(20) not able to deliver it. It was by the way for the University of Natal, Durban and my audience was, something like 70% or 80% was going to be White students. I do not know whether the whole idea that I was teaching people petrol bombs came from this poem or not.

ASSESSOR (MR KRUGEL) : Page 6 in the centre, just a sentence before that you say "We could look at fellow White South Africans and say barring their privileged position and artificial constraints on us, they are just human as we are. Yes, they are no miracle" and then the next sentence(30) you/...

you say "One must also admit that occasionally misguided American Black Power slogans took their toll because of their appeal and some went down the drain with them." What were you referring to? -- I was referring to the fact that when initially the South African Students Organisation was set up in the late sixties, the motivation was as I have said earlier on, largely arising from practical poems which were there. As we moved in - I just want to take hard facts. In 1971 at the second general students council of SASO a policy position had to be taken on the question of the(10) relationship between Black students and - let me say Black people and White people and therefore Black student organisations had to take a policy position. That debate led to the document that came to be known as the SASO policy manifest, in which the position that was taken there was that SASO believes that South Africa is a country in which both Black and White people could live and shall continue to live together. That was the position that was taken by the second GSC 1971 July, but that position was taken against sharp debates inside SASO, because some (20) people felt that the position SASO must take is that we do not want to have anything to do with anybody that is White and so on. There were some of the people that were taking that line. This kind of attitude in my judgment and thinking back to the period was as a result of some of the slogans which came from the American continent. One found in the late sixties organisations like the Black Panther Party under the leadership of people like Bobby Newton and so on. Their line was a very aggressive - Black Consciousness said that they must not have any Black Power. They said that(30) they/...

they must not have anything to do with anybody that is White and in fact with regard to the Black Panther Party, they used to go around carrying guns and so on. At the time - there were also slogans such as .. (Mr Krugel intervenes)

That is what I wanted to ask you about. What slogans ... -- Some of the slogans, you will find that the Afro Americans say that the White man is a pig. I do not want anything to do with the White pig and so on. So, one finds slogans like that, which appealed to some of the people in our ranks, that is to say inside SASO and the Black (10) Consciousness Movement. There were the two strands that I spoke about earlier on in relation to Black Consciousness. There were two lines of thought. Some of the people tending to take the more reconciliatory line, others taking the more aggressive one and this is what I am referring to in relation to this that occasionally misguided American Black Power slogans took their toll because of their appeal. Of course they sounded to young people - they sounded appealing. Some said we do not want any blue eyed devil which were not in our line of thinking and were not accepta-(20) ble to some of us and I was saying here that much as I was saying to my audience that Black Consciousness made a lot of contribution and so on that there is, however, the fact that there was a bit of chaff also that it went with and this is why I detail it here. That is what I was referring to.

MR FICK : Will you turn now to EXHIBIT AB23, found in the offices of UDF Khotso House Johannesburg. This is a document dated 7 January 1985 with the heading "On the return of pupils to school" under your name. Do you know EXHIBIT AB23? --(30)

I/...

I drew up this document.

For what purpose? -- This was a press release.

Is the first paragraph in accordance with UDF's policy "The issue is not with the students and pupils are returning to school or not, it is whether the department of education and training has and will continue to adequately address those grievances which led to the disruption of classes last year." -- Yes, what we were saying here is that the most important thing is not just students going back there. It is that problems which are there - those which can be(10) eliminated immediately are eliminated, and those which cannot be eliminated immediately can be dealt with with the passing of time. The reason being that if students go back and the situation is not redressed, we will just have a repeat of the whole thing over and over again and what we were interested in was that - what I was saying here was that to guarantee ourselves that students will not only go back to school, but that they will stay in school and we do not have those problems. Some of the problems which can be tackled immediately and continue to handle the others, as(20) time goes on. I think the first line of the second paragraph clarifies the matter. It says "If in the long run students are not satisfied that they have, then we can expect worse disruption before the year is over" and we were not interested in students just going back there for formality. They must go back and when they go back they must stay there and we do not have that repeating itself.

The second paragraph the second line "Our fear is that many young lives will once more be lost in running street battles in which armed police and soldiers will confront(30) unarmed/...

unarmed and defenceless pupils in the townships." -- All it means is, once there is a disruption of classes or there is boycott of classes, because these problems have not been sorted out or they are not being sorted out, inevitably the police must come in and if the students are going to throw stones around or whatever else is going to happen, they will shoot them and even shooting with teargas is dangerous.

But this is not what you said in your statement? -- That is what the statement says. Anybody who understands (10) English will understand what the statement says here.

This is referring to running street battles in which armed police and soldiers will confront unarmed and defenceless pupils? -- Yes, if - it says if the problems are not sorted out. If we cannot keep the students in the classes. If boycotts start, this will result and any adult person can see that that is so.

COURT : At this stage were the children, that is the pupils and the students, in school or was there a general boycott in January 1985? -- Since 1984 there had already been (20) this boycott going on from some time in 1984. So, we were at the point at which - the question is the schools had to be opened and the question was what was going to happen or whether the issues which had sparked off, whether these things had been tackled or not.

And the return to school would then be in the middle of January some time? -- Yes. We of course went - when we met on 12 and 13 of this month, we then took a decision that the UDF must get itself involved in this problem and seek to help resolve it, because up until that time the UDF (30) had/...

had been occupied with his own campaigns and other issues. It had never really taken a direct role in the matter and now - let me just see if I can get the minute quickly here. The exhibit I refer to is T15 page 5. The paragraph here is "Matters arising out of Transvaal report, education" and there it says "The UDF must seek to get involved in resolving the education crisis." So, it was at that meeting then that we took a decision that we must take up the casuals and help to resolve the matter.

MR FICK : I put it to you that the UDF was not so much(10) interested in getting the pupils back to school where they belonged, but they were more interested in addressing the so-called grievances of pupils? -- No, I disagree with you. We were interested in the resolution of the problems insofar as they would facilitate students going back to school. Our primary concern was to help resolve the crisis and get the children back to school. That was the position of the UDF.

Why did you find it necessary to issue a press statement at this time, in January 1985? -- No, no, I was (20) approached by the newspapers for a statement in this regard.

Yes, but you knew the pupils were supposed to return back to school in January 1985. Why did you in your press statement say "The issue is not whether students and pupils are returning to school or not"? -- But I have explained that. Must I repeat again? What I am saying here is that the most important part of the problem is whether the problems which led to the disruptions have been handled or are being handled so that when the students go back, we do not have a repetition of what had happened before. This(30)

is/...

is what it says. This is straightforward English here as far as I am concerned.

ASSESSOR (MR KRUGEL) : I get the impression that counsel is saying that this statement on 7 January 1985 is before the schools started again. It may be interpreted as a discouragement for students to return to school? -- No, I disagree with that entirely. In fact the official position of the front as I have just said, is indicated in the minute that I have just referred to. We took the decision that the UDF must be involved in the process to help resolving(10)

That is why you referred us to T15? -- Yes, because is on 7 January and on the 12th when the secretariate met, it takes a decision that the issue is - we are having this and because the issue has been going on for so long, the UDF must now get involved in this thing to help resolve it and there is no other way in which we could resolve it, other than to help the process of children going back to school. To facilitate that. I may just say this just to clarify counsel further. Where for instance - there are issues which, as far as we were concerned, the department(20) could handle quickly and they would not have been problematic, for instance, let us take the other question of sexual harassment of the students. The department could just issue a directive to the teachers or some kind or the other and actually make it know that we have issued a directive and that none of the teachers should - the teachers must not have any love affairs with their pupils and so on.

(2) If one takes the issue of corporal punishment, the department could have issued a directive to the teachers through the principal just to say corporal punishment, this is (30)

the/...

the regulation governing it and this is going to be done. These things are going to be done and then the parents would be in a position to say to the children "Look, this has been said and this is going to happen now." With regard to other issues, for instance the issue of free supply of books. Those are issues which could not be done on the spot and so on. This is why my statement clearly says the question is whether that has and will continue to adequately address because the issues of books and those which would demand may be departmental new regulations being moved (10) in parliament and so on, would take a longer period to effect, but this is considered. It is a clearly considered position.

MR FICK : Will you please turn not to EXHIBIT AG20. This is a document, it is apparently a speech - it is your speech. Is that correct? -- This is my speech. This is the speech that I delivered in Cape Town at the funeral of one Bertram Conzalves. Some people call him Bertie.

EXHIBIT AG20 was found in the offices of UDF Johannesburg. (20)

COURT : Was he a young man? -- He was a young man.

Why did he die? -- He was shot dead by somebody there, a neighbour or so. This is the document I referred to earlier on when I said on an occasion when I spoke at the meeting I used the names of people and I quoted some of the names which are here and I was trying to illustrate that some people address meetings. They just call names which are nearest to their mind or so. I could not remember the document's number.

MR FICK : This Bertram ... (Court intervenes) (30)

COURT/...

COURT : Was he a Portuguese? -- No, he is what one calls a Cape Coloured.

MR FICK : From the document it appears that he was also a prisoner on Robben Island? -- That is correct.

He served six years' imprisonment? -- Six years, that is correct.

For what? -- He was arrested in the 1976 riots.

COURT : In Soweto? -- In Cape Town. The 1976/77 riots. He was arrested in Cape Town.

MR FICK : And you were asked to deliver a speech on behalf(10) of the UDF? Is that correct? -- I spoke in that capacity. But I think I was asked more because I had done time with him in jail.

COURT : Do you know when the speech was delivered? -- It is 1983 - late 1983 or early 1985.

MR FICK : On the first page the last paragraph there you said "We are left to carry out our side of government to free our people. There can be no turning back on the demanding task we set ourselves with Bertie, Brian" who is Brian? -- Brian ... (Mr Fick intervenes) (20)

Mazibuko. -- Yes, he was one of - a member of one of our affiliates who died in - shortly before this time. He was stabbed to death in Tembisa here.

Brian was also an ANC member? -- No, never. Brian is just a little child of about - at the time he was about 20, 21. He was just arrested here for these riots in 1976/77. There was no ANC about it.

Did he serve a prison sentence? -- Yes, he did. He was arrested for the riots in 1976/77. That is all, not for ANC. He has got nothing to do with the ANC. (30)

Ben/...

Ben Palmer? -- Ben was a member of the South African Students Organisation with us and he died in Cape Town.

I think he was stabbed to death or something.

Which Mxenge are you referring to on page 2? -- Griffith. The attorney who was killed mysteriously in Durban.

Biko you know. -- Steve was with us in SASO and so on.

Msizi Dube? -- This is a man who was a councillor in Lamontville and he was killed for opposing rent hikes. He was killed by some of the councillors.

COURT : Where is Lamontville? -- In Durban. (10)

MR FICK : Sello Moeng? -- Sello Moeng was also one of the people who were arrested here during the riots in 1976. He was just a student here in Soweto and he did time on Robben Island and then when he came back he was stabbed to death I believe in the township. I was not there, but I know that he was killed.

Was he a member of the SSRC, Soweto Students Representative Council? -- No, he was just a student there. He was not a member of that.

And Tiro? Is that Abraham Tiro? -- Yes, Abraham Tiro, (20) that is my former colleague at Turfloop.

Was he also a member of SASO? -- Yes, in fact he served as SASO's permanent organiser before me and I came to South Africa after him.

I put to you you referred to these gentlemen and especially to the history of Bertram to incite the people to partake in a violent struggle? -- That is just not true. If I come to the funeral of a man who has died, I cannot start talking about buffaloes and elephants. I must talk about him. Not for purposes of any incitement, but because (30)

I/...

I have come there to pay respects fo the man. What else would I talk about if I do not talk about his life?

Will you please turn to EXHIBIT AG29. This is a document found in the offices of UDF Khotso House, Johannesburg. This is the last document in this volume. This is a letter addressed to Mr and Mrs Curtis and family dated 4 July 1984 and signed by you and accused no. 19? -- Yes.

Did you receive any instructions to write this leteer? from UDF or anybody in UDF? -- I did not receive any instructions. We were approached by some of the students NUSAS (10) members in fact of whom Jeanette Curtis had once held leadership or membership to NUSAS and they asked us - because they were affiliates - if the UDF could not send messages of sympathy to the family and this was the result.

It is just a pity that you never mentioned COSAS or the role she played in COSAS in your letter? -- COSAS?

NUSAS? -- I do not know if counsel is not understanding what I am saying. I am saying that we were approached by members of the National Union of South African Students of the University of Wits. They asked us - you see, NUSAS(20) is affiliated to the UDF - on behalf of the UDF to send a message of condolence to the family because they had relationship with Jeanette Curtis. She had been a member of the organisation, she had actually held leadership position in NUSAS whilst a student there in the early seventies. So, I then prepared this document, and we sent it with accused no. 19 and sent it to the family.

Why did you in paragraph 1 state that on behalf of the UDF and freedom fighters of our country everywhere? -- Yes, the UDF could not be happy that somebody has died. (30)

It/...

It is just - I was writing in my capacity as official of the UDF.

But why did you say freedom fighters of our country everywhere? Do you represent all the freedom fighters of our country, including the ANC? -- No, where does the ANC features here? There is no ANC here.

But it is stated the freedom fighters of our country everywhere? -- Yes, everywhere in the country.

No, it is not stated everywhere in the country in this letter? -- Nor does it say everywhere in the world. (10)

We do not have organisations outside South Africa. The UDF has got affiliated and representative organisations within here. We do not have representative organisations abroad.

This Jeanette Schoon, why was she outside the country? -- I really do not know.

Do you know her husband Marius Schoon? -- I do not know him.

Do you know whether she or her husband were members of the ANC? -- No, I do not know.

Whether they were working together with the ANC? -- (20) I do not know.

Can we now turn to EXHIBIT AJ37. This is a document with no date. It is only with the heading "The NEC statement for UDF News, first draft."

COURT : Found at?

MR FICK : UDF offices Khotso House Johannesburg. Do you know this document? -- No, I do not know this document.

Is it the view of the UDF that the South African government has declared war on the people? I am referring to the very first sentence of the first paragraph on the first (30)

page/...

page? -- This is what this first draft says here. I do not know if this was adopted by the UDF.

That was not the question. The question was, is it UDF's view that the government has declared war on the people? -- Not as far as I know. But it would be UDF view if this document was adopted. Whether it was, I do not know. I do not even know who wrote it.

Do you know a person by the name of William Kratshi? -- I do not know him, but I know about him.

What do you know about him? -- That he was shot and (10) killed by the police in his house in Graaff-Reinet.

Do you know how he came to die in his house? -- No I was not there, but I was given information.

Who gave you the information? -- As far as I can recall it was the Reverend Chris Nissen and also our Western Cape office.

What were you told about the shooting of William Kratshi? -- That the police had come to his house and they wanted to go with him to the police station. They asked him to go with them. He was helping a little child there, because (20) he had just been released from prison and his wife was working and he was looking after this child. So, I am told he asked them for permission to get somebody to look after the child. I do not know exactly what happened there, but they shot him in the house.

You do not know what happened in the house, but eventually he was shot? -- Yes, he was shot there in his house.

Will you please turn to EXHIBIT AJ9. This is a document dated 23 January 1985 with the heading "Shooting of W. Kratshi" purported to be issued by T. Lekota. -- Yes. (30)

Do/...

Do you know this? -- Yes, I issued the statement.

Seeing that you had no knowledge about what happened why he was shot, why did you call it a brutal shooting?

ASSESSOR (MR KRUGEL) : Is this a press statement? -- This is a press release. Why did I call it a brutal shooting? I cannot think of any other adjective that I could attach to it. Why should the shooting of anybody else not be brutal?

MR FICK : Did the man attack the police? -- No, there has not been any suggestion by the police then and any time (10) as far as I know that he attacked the police.

The third paragraph "His shooting shows that henceforth the State was frustrated by its inability to contain growing resistance, especially the UDF. It will eliminate its opponents in this fashion." Again, seeing that you had no knowledge about what happened in the house, on what basis do you call this the elimination of a man? -- Yes, but the man was eliminated. He was shot and killed in his house and there was never an allegation that he had any weapon or anything. (20)

On what basis did you say that that was done because the State was frustrated by its inability to contain growing resistance, that they eliminated this man? -- Because as I recall now, whilst he serve a prison term, part of the information that I received was that the police had tried to invite him to act as their police informer and he had refused. On the basis of information available and on those facts, it was the only conclusion that one could draw.

COURT : Yes, but had he been asked to become an informer before he went to prison? -- No, according to the (30) information/...

information I had, he had been asked whilst he was serving and after he had come out of prison, My information is that at the time he had refused. I really could not know - I do not know of any reason why - if a man was sitting in his house with a little child, because his wife had gone to earn some money for the family and he had just come out of jail and so on, we could not think of any, we could not find any reason, nor could the police find any reason that we know of why they had shot and killed him.

MR FICK : And because you do not know what the facts (10)
were, you decided that it was done out of frustration? --
I was given that information that I have just given to the
Court.

COURT : Was there a post-mortem examination on this man?
-- I think up to the point of our arrest, there had not
been any - at least, I have no information of any before
our arrest.

MR FICK : I put it to you that you issued this press
release, EXHIBIT AJ9 ... -- But that I told the Court.

Yes, with the intent to anger the people, to incite (20)
them against the police? -- No, that is not so. In fact
if we look at the last paragraph of that statement it say
"We shall insist on a mobilised national intentional support
to defend our last possession, that is the right to oppose
apartheid." No where does it say we must now hate the police
and so on. That is not true. It was never the purpose of
this statement.

Will you please turn to EXHIBIT AJ17. This is a document
found in the offices of UDF Johannesburg with the heading
"The United Democratic Front, press statement, dated 6 (30)
January/...

January 1984 issued on behalf of UDF by T. Lekota United Democratic Front publicity secretary." The first paragraph with the heading "Labour Party decision. The Labour Party decision to join ranks with national party and impose the new constitutional act on the people of South Africa is crime, which some day they will be called upon to account for." Is that in accordance with UDF's policy? -- That is according to the position of the UDF and also to the position of the United Nations Organisation. To support apartheid is to support a crime against humanity. (10)

When and where did UDF decide that it is a crime? -- The United Nations Organisation ... (Mr Fick intervenes)

I am not asking you about the United Nations. I am asking you about UDF. You issued the statement on behalf of UDF and not on behalf of the United Nations. -- When I issued the statement on behalf of UDF in 1983. It was 10 years after the United Nations had taken the decision that apartheid is a crime against humanity. I have pointed out here, a number of other decisions which we have taken here, from which we take the queue from the international community and even on this question, we did it, because to support apartheid is a crime against humanity on the ruling of the United Nations Organisation.

ASSESSOR (MR KRUGEL) : Was there a decision to join the National Party? -- All that the statement means is that in standing and supporting the new dispensation, they made common cause. The statement must be understood in that light. What the sentence really means is that they made common cause. They joined the National Party in implementing apartheid. They made common cause, took same side. (30)

COURT/...

COURT : The National Party means now the White National Party, the government? -- The National Party, yes.

MR FICK : I then take it that also the National Party of the government will be called upon in future to account for the crime of apartheid? -- That is a matter that will be decided upon by the United Nations Organisations, but I believe so. I believe that insofar as the United Nations Organisation has taken that position, that it will do so and indeed, earlier on evidence was placed before the Court that even in parliament some of the MP's at that time (10) in 1983 pointed out that in pursuing the policy of apartheid and what it was doing to large sections of the population of the country, it may well be that the United Nations or it may well be that mankind tomorrow may take action about that and punish those who committed those crimes.

COURT : Well, why are you so indefinite about it. In 1984, 6 January you stated that the Labour Party will some day be called upon to account for this crime. So, by the same token I take it the National Party will some time be called upon - some day be called upon to account for this (20) crime? -- The issue that was being discussed here was the Labour Party decision. This statement here was referring to that particular decision. It was focusing on that.

Can the one be worse than the other? -- As I say, the Union Nations Organisation will decide on these issues. It has taken that position on it. The churches of the world have taken that position on it and so on. As for ourselves, as I have stated before, we have no need and we do not seek any revenge for anything that may have happened but the United Nations of the world have taken a position (30) on/...

on the matter and it will be for them to decide what they are going to do about it.

Why do you refer to that position taken by the United Nations when dealing with the local party? -- But apartheid is a policy, the entire policy that is in the country and everybody - what the United Nations have said is that apartheid policy is a crime against humanity. Who supports it, whether it is a Black man or a White man or what not, I do not think it will be said that it is not a crime because you are an African. The United Nations will decide on (10) the matter, but I think it is a crime for all of us.

ASSESSOR (MR KRUGEL) : How do you see this, this accounting to the United Nations about crimes, about the crime of apartheid? -- I do not know if I understand the question very well. How do I account for that?

They will some day be called upon to account for the crime of apartheid. That is now the Labour Party and apparently also the present government. Do you say they will be punished for this crime by the United Nations? -- I do not know exactly what the United Nations Organisation will (20) do about it. In raising the matter in 1983, Mr Malcomess I think for the PFP said that it may well be that the United Nations or may be he did not say the United Nations, but he said it might well be that some people will be tried for the crime of apartheid. I cannot say specifically what they are going to do, but what I do know for a fact is that the United Nations Organisation has taken the decision that the thing is a crime against humanity and if indeed it is a crime against humanity, it is logical to expect that the United Nations would call some of the people (30) to/...

to account for what they have done. How exactly, where and when, I do not know.

COURT : So, what you are referring to is another noon burger trial? -- As I say I do not know what they are going to do precisely, but it is in my mind logical that if they have reached a decision that the thing is crime, that some form of action will be taken and people will be asked why they did what they did.

MR FICK : You of course failed to mention the United Nations in this paragraph? -- I failed? (10)

Yes? -- I did not fail, but I did not.

You were not perhaps referring to the so-called people's tribunal? -- No, that is not so.

I would like to refer you now to EXHIBIT AJ20. This is a document found in the offices of UDF Khotso House Johannesburg. The document has got no date, no heading and it is not signed by anyone. Do you know this document? -- I do not know this document. As far as I am concerned this is not a UDF policy document.

Turn to page 2 the first paragraph. That appears to (20) be stating UDF's demands on the release of detainees? -- Yes, but we have made calls like these and other people have made calls like that on various occasions. What I am saying is that I do not know the source of this document. As far as I am concerned, this is not a UDF document and even if we compare the typing on this document with the usual typing in the office of the UDF, it does not look like the same. I do not know where it was typed and by whom.

COURT : Does this look like a press release to you? -- No, if it was a press release - may be I should just have a look (30)

at/...

at it. At one level it looks like it was an input. For instance if we look at page 1 of the document, paragraph 3 it says "The regime has repeatedly attempted to shift the blame for this situation from its shoulders. It has blamed outside agitators, communists and repeatedly the UDF itself. Aggitators have to be manufactured, because the root cause of the continuing conflict in South Africa is incapacity of the apartheid state to respond to genuine popular grievances." Outside agitators is in quotation marks, communists in quotation marks and aggitors also. (10) When one looks at a part like this, it looks like an input. Then it goes to the Vaal and it deals with what happened in the Vaal at the funerals. Then at paragraph 5 it says "In due course the State may try to launch a show trial in an attempt to distract attention away from the regime's policies and to criminalise legitimate opposition in the townships." And then it deals with several things. It says what has happened "36 Organisations participated in a stay-away in order to make various demands on the government. Trade unions, student and community leaders (20) have been detained and there is no talk of a show trial." It looks like it is a discussion of the situation as it was at the time.

This seems to have been written after the stay-away, that I think was in November 1984. -- That is correct.

And talk of a show trial can refer to anything, but it can also refer to the treason trial in Pietermaritzburg, but not necessarily? -- It says that people will be charged with economic sabotage. Pietermaritzburg trial, as I understand it, was not about economic sabotage. I certainly (30)

do/...

do not know this document.

MR FICK : Will you look at the second paragraph on the first page "The unleashing of police and military terror on the townships was met with popular anger and resistance. The situation of civil war now exists in a number of townships in the Witwatersrand." -- That sounds like a personal opinion to me.

Was it not the view of UDF that a state of civil war exists in a number of townships? -- No, I cannot remember the UDF ever taking a decision of that nature. (10)

Will you now please turn to EXHIBIT AL8. A document found in the offices of UDF Johannesburg. This is a document with the heading "Why the UDF opposes the new constitution act" signed on page 2 by P. Lekota publicity secretary. -- That is correct.

Did you draft the document? -- That is correct.

COURT : When did you draft this? -- In 1984 but I cannot remember the exact date.

Was the letter to the Prime Minister written in 1983 or in 1984? -- In 1983. (20)

In 1983 was the letter to the Prime Minister? -- That is correct.

Because this refers in the last paragraph to the letter to the Prime Minister. So, this dates the letter in 1984 then? -- That is correct, it is 1984. This is a 1984 document.

I mean the document, not the letter? -- Yes, this document.

MR FICK : I cannot remember whether I asked you already, but for what purposes did you draft the document? -- This (30) was/...

was for publication. I think I sent some copies of this to the newspaper and I think also some to the regions for the UDF, regional publicity secretaries.

For what purpose? -- For purposes of dissemination. Stating really the position of the UDF.

I see in the first paragraph the second sentence you said "The United Democratic Front has not escaped these charges and detractors of the liberation movement to the advantage of the long established attitudes towards Black resistance to apartheid in order to prejudice the Front." (10) Is this your own personal view that UDF is part of the liberation movement or is a liberation movement? -- If by liberation movement is understood the body of organisations which are opposed to apartheid, then the UDF is part of that. It is part of the liberation movement. The simple point that I was making here is that constantly if people come from Black communities and they say that we are not happy about this and we are not happy about that, they are labelled with all of these or they are viewed in this suspicious way and the UDF - it was not the first (20) time that the UDF - that an organisation was being labelled for instance an ANC front or for instance agitators or what not. It was not the first time with the UDF. It happened with other organisations before and all I was saying was this was a tendency that happens, but I set out to explain the UDF in order to disabuse those people who may have been caught up with that negative outlook towards the UDF. So, the reason why I set out to explain that this is not correct, we are not agitators, we are not extremists, we are not terrorists, all those negative things. (30)

To/...

To which newspapers did you send this for publication? UDF News or commercial press? -- To all the newspapers, any newspaper that was interested. I have made it available to them, including the commercial press. You see, because the commercial press is particularly important. It reaches very many people. So, I always tried to persuade the commercial newspapers to take in articles and what we had to say because they reach so many people and then it helps to clarify our position in the public mind.

I see in the last paragraph of the second page you also (10) refer to the national convention but no pre-conditions or demands are set out. -- Yes.

Why not? -- The reason is this, when one writes articles to newspapers, there is always a limitation of space and it is important not to make it extremely long because sometimes it discourages them and they just leave it out. So, I tried to capture what I considered to be immediately important issues and at least just to cite the main body of it. People who read it and who are interested will refer back to the UDF and say just tell us about this national (20) convention. One can set it out a bit more broader. As will be seen from the other exhibit where in 1985 or so I wrote the other input to the South African Foundation. It would be found that in dealing with the question of the national convention I think I would have given a bit more attention to it than here. It really is that consideration that the newspapers - they do not give you all their pages and we must try to accommodate the space which they can afford. But I think it can also be seen in the last line there. I made the point quite clear that the UDF drew attention (30)

to/...

to the shortcomings of the new dispensation and what it proposes was a national convention of all South Africans, to draw up a constitution acceptable to all.

Is it correct were you - did you attend an AZASO Students Organisation third annual congress in Hanoverpark Cape Town? -- Yes, I spoke there. That is in 1983, July 1983.

On what subject did you address the audience? -- I spoke on SASO. In fact I spoke on SASO and Black Consciousness. I think part of what I said appears in EXHIBIT W13. (10)

Volume 3. This document is an AZASO Students newsletter with the date October 1983. This was found in the possession of Dorah Sesing Tumahole. Do you yourself know this AZASO newsletter? -- No, but I saw it when these exhibits came here.

First of all on the second page we find the slogan "Aluta continua." Do you know this slogan? -- Yes, I know it. As far as I know it, it means the struggle continues. I am sorry, the actual exhibit I was referring to, of course they refer to the same thing, is W14. (20)

COURT : Let us first finish with this and then go on to W14 if you feel like it.

MR FICK : Would you agree that the slogan "Aluta continua" is a slogan used normally by SWAPO? -- No, I do not agree. As far as I know - I do not know whether it is Portuguese or Spanish or so. It is not a SWAPO slogan. It is used all over. If you just read some of the books, you will find it there.

Was it not a slogan which came originally from Angola? -- No. To the best of my knowledge, no. (30)

COURT/...

COURT : Where did it come from? -- As far as I know it is being used all round.

That can go as far as Eskimo land. Was it not a Frelimo slogan? -- They may also have used it, but as far as I know it has been common in African political circles for a long time. Unfortunately, some of these things one just meets with them in political circles and sometimes one is able to find out where the thing comes from. Sometimes it is impossible.

MR FICK : Will you turn the page to the third page with (10) the heading "Report on AZASO congress." It is this AZASO congress which you addressed? Is that correct? -- That is correct.

You see that in the first column the fourth paragraph the opening address was delivered by Mr Curtis Nkondo. -- Yes. I may just say by the way that I only came to the conference on the afternoon when I was coming to address it that evening and I left again. So, I cannot attest to what had happened before I got there and what happened subsequent to my addressing the conference. (20)

Who invited you to the congress? -- I was invited by this AZASO. I think the invitation came to me by the students of the University of Natal. This was actually a panel discussion. I was there with - it was myself and Diliza Mji, Dan Montsisi, Murphy Morobe, Auret van Heerden. As I recall it there were four. Diliza Mji, Joseph Phaahla, Auret van Heerden and myself. I do not know whether perhaps W14 would not give a more accurate feature, unless I forget.

According to W14 Auret van Heerden, you yourself, Diliza Mji, Dan Montsisi and Joe Phaahla ... -- I think these (30) documents/...

documents are correct.

Were you invited in which capacity? -- In my personal capacity.

According to the last paragraph on page 3 the first column the discussion was aimed at trading the roots of the student movement to see whether AZASO was on the correct path or not, explained Joe Phaahla and then "I think in the end all AZASO activists could rest assured that we were continuing the tradition created by organisations as far back as the ANC Youth League and the South African Students(10) Organisation." Was that the purpose of the discussion? -- Well, I was not organising the conference. They should know better why they organised a conference.

But did they not tell you when they invited you for what purpose they were going to have this discussion? -- No, they said they wanted me to come and help with an input on SASO and Black consciousness, giving background to that. That is what I went there to do.

AZASO is not a Black Consciousness organisation. Do you agree? -- If by that you mean it does not subscribe to (20) Black Consciousness, yes.

Were you not surprised at being invited to address AZASO on Black Consciousness? -- No, but Black Consciousness is a phase in the history of our country. If they want to have first-hand information and they want to know about it. I was not surprised. I also like to know about it, even people that I do not agree with and organisations I do not agree with, I read and I try to know about them. At least I must understand them as they are. So, I think it was a good thing as far as I was concerned, (30)

According/...

According to page 3, the very last sentence, second column the congress was also addressed on the topic the national democratic struggle by Advocate Zac Yacoob of the NIC? -- Yes.

Were you present at that stage? -- No, this must have been on different days. I got there and we spoke to the conference on a particular day in the evening this group of us and afterwards I left. I do not know what else happened at that conference.

Did the congress discuss the education charter as well(10) as far as you are concerned? -- I got to the conference on the day I came to address them on SASO and Black Consciousness. When I was finished I left. I do not know what had happened before or what happened afterwards. How we came to address them on that, I can only talk about that evening, that is all and then I left afterwards.

Then I do not understand what is going on on page 7. Will you turn to page 7? There is a page with the heading "Education charter" the second column. Did you attend the education festival? -- No, I came there and addressed them(20) on the subject that I came there for and I left afterwards. You see, I had just come out of hospital and as I told the Court I was in hospital in June, because I had an appendicitis operation and I want back to my family afterwards.

According to this - I am not going to read the whole of it, only the last three lines of the first paragraph the second column page 3 "The festival which was opened by UDF publicity secretary, Terror Lekota, concluded by electing the seven person committee to co-ordinate the charter (30) campaign/...

campaign in the Natal region." Now, according to --

This is a different meeting. Is that not clear? He is talking about Natal region. This is something else now.

COURT : This was Durban on 1 October it seems.

MR FICK : I am sorry, I missed that.

WITNESS STANDS DOWN.

COURT ADJOURNS TILL 29 SEPTEMBER 1987.