

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA

(TRANSVAALSE PROVINSIALE AFDELING)

A

SAAKNOMMER: CC 482/85

PRETORIA

1987-10-07

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 300

(Bladsye 16 953 - 17 048)

COURT RESUMES ON 7 OCTOBER 1987.

COURT : Before we start, Mr Tip. Yesterday or the day before I cannot remember properly, we had a bit of difficulty with one word which according to the witness was not Zulu and it was not any other language and the word "kill" was in brackets behind it. Can you remember where that is to be found? Because at some stage we have to clear it up.

MR TIP : Mr Marcus will try to locate it and he will deal with it.

COURT : Please do. We will come back to that. (10)

MR TIP CALLS ACCUSED NO. 21 :

MOSES MABOKELA CHIKANE, d.s.s.

MR FICK : My Lord, may I be of assistance. The word is in the third line on top of page 12 of V20.

EXAMINATION BY MR TIP : Mr Chikane, you are popularly known as Moss Chikane. Is that correct? -- That is correct.

And I think that we will find reference to you in that way in the minutes and certain of the documents? -- That is correct.

What is your age now? -- I am 39 now. (20)

Having been born on what date? -- I was born on 14 August 1948.

How many children were there in your family? -- All in all we are nine. I am the eldest of the nine.

And you yourself were married in 1982 and you have two children? -- That is correct.

For how long has your family been living in Mamelodi? -- They have been living in Mamelodi since 1956.

Did you yourself attend school in Mamelodi from the beginning of your schooling? -- That is correct. From (30)
there/...

there I moved to Pietersburg. That is I attended school only for one year. I started in 1957, then moved to Pietersburg where I completed my St. 5 and I came back in 1964 and then in 1966 - the whole of 1965 I could not get a space in Mamelodi. In 1966 I completed my St. 6. Then I went to Mamelodi High School in 1967. I passed my St. 7 there. In 1968 whilst I was doing my St. 8 my father died and I had to leave school.

And after your father's death in 1968, were you able to find work? -- Yes, although I had problems, but ultimately(10) I did find work. The first problem that I had at that particular time was, I went to register as a work seeker and then from there I was told to complete a form that one has got to complete. It is sort of a history form, where you went to school and so on. Ultimately, because of problems of finance as my father had already died, I run short of money to go to Pietersburg where I schooled. Because of that there were several problems that I experienced in the pass office, Commissioner's office, to which I can return later if necessary. (20)

I am not going to ask you to detail all this, but did you in fact have some difficulty with the Commissioner's office and the nature of the work for which you registered? -- That is correct.

ASSESSOR (MR KRUGEL) : It is not plain. Were you required to go to Pietersburg in the course of these arrangements? -- Yes, you had to fill in this form what you had been doing all these years. Sort of kind of history before you can really qualify for work.

COURT : Your principal has to certify it? Is that the (30)
idea/...

idea? -- Yes, to certify that in this year you were at his school and so on.

MR TIP : If asked you can detail the problems you had with that office, but were you ultimately successful in obtaining employment with the Chrysler motor company? -- That is correct.

That was in 1968? -- That is correct.

For how long did you work there? -- I worked there for about eight years.

Did you whilst employed with that company try to continue your own studies? -- That is correct. (10)

Through what manner? -- I was registered as a private student. I studied privately.

Did you study in any group? -- Yes, we had a study group around Mamelodi and I studied through that group.

Did that study group launch any programs in the community? -- Yes. Initially the study group was handling just things that have got to do with education. That is including illiteracy classes. Ultimately it included things like sewing and knitting for the unemployed women.

Do you know of a group called Sebata-kgomo? -- That (20) is correct.

What was that concerned with? -- That was a community project that was concerned with helping especially the unemployed people like women running illiteracy classes and then from there teaching them knitting jerseys.

Were you yourself involved at all with that project? -- That is correct. I was a founder member of that project.

And can you tell His Lordship when it was founded? -- It was founded around 1975.

For completeness I want to ask you also what you know(30)
about/...

about the Masihlangane People's Project? -- That was a project that was started by Father Smangaliso Mkatshwa, who is now the secretary of the Catholic Bishop's conference.

What was that project concerned with? -- It was concerned more or less - it was working more or less similarly like Sebata-kgomo. That is literacy classes.

Do you know when that was launched? -- That was launched more or less in the same year in 1975.

Was it concerned at all with health projects? -- Yes, it took that as well. (10)

We will come back to your involvement in this project, but just for the sake of chronology, you remained employed until what year with the Chrysler Motor Company? -- I remained employed until 1976.

COURT : These two projects, did they overlap? -- Yes, ultimately they merged.

When did you leave Chrysler? -- In 1976.

MR TIP : What were the circumstances of your losing your employment? -- I was detained in 1976 for a period of about three months under Section 10 of the Internal Security Act. When I came back I was told that I have lost my job. (20)

At the conclusion of that detention period, were any charges brought against you? -- No.

In 1977 did you again after your release from detention seek employment? -- That is correct.

With what success? -- Without success.

And eventually what did you do in that year? -- Then from there I started working fulltime for Sebata-kgomo and in that very year I think Sebata-kgomo and Masihlangane merged. (30)

What/...

What was the nature of your employment with those organisations? -- I was to be the administrator of those organisations.

For how long did you remain with them? -- I remained with them until 1980.

And what employment did you obtain in 1980? -- In 1980 when funds dried up I went to work for Community Resource and Information Centre. It is based in Braamfontein, Johannesburg.

And that organisation is abbreviated as CRIC? -- That(10) is correct.

Would you tell His Lordship please what the nature of that organisation was? CRIC? -- CRIC's role was to help organisations especially in administrative skills and to run workshops, to conduct researches whenever required.

COURT : What was its function? To help develop administrative skills? -- Yes, to help organisations develop administrative skills.

MR TIP : Were you in fulltime employment with CRIC? -- That is correct. (20)

And what was your principle function with that body? -- I used to run workshops, but mainly I used to assist in researches. We had experienced researches and then from time to time they would require services of the likes of us to help in compiling the data.

COURT : What was researched? -- We researched things like cost of living in different areas mainly for the unions. The information was used for negotiations - wage negotiations from time to time. You have to know what is the cost of living in a particular area where the industry is based. (30)

so/...

so that when people go and negotiate, they have got data at hand that they can show.

What else did you research? -- We did some research for instance on Ciskei in 1983 on that bus boycott. The feelings of people, different people in that particular area.

Were you field worker or were you a compiler of the data? -- I was more a field worker. I did from time to time help in compiling the data. That is assisting experienced people to do so. (10)

MR TIP : Did you remain with CRIC until your arrest in this capacity until 1985? -- That is correct.

I want to ask you about your attitude to education. You mentioned that you had to seek employment in 1968 after the death of your father. Who was the breadwinner in your family that time? -- I was the breadwinner. I had to help my brothers and sisters in schooling, pay for their schooling, feeding them and paying the rent as well, because my mother has never worked before. She is sickly and illiterate.

And for your how long did your commitment to assisting (20) your brothers and sisters with their education continue? -- It continued until my arrest.

In 1983 and 1984, how many brothers and sisters of yours were at school and being assisted by you? -- Five of them were still at school. That is two brothers and three sisters.

Have any of them matriculated? -- That is correct. In fact seven of them had matriculated.

And have any obtained post-matriculation qualifications? -- Six of them have obtained that.

ASSESSOR (MR KRUGEL) : How many are you? -- We are all in (30)

all/...

all nine.

But you say two brothers and three sisters were still at school? -- Yes, they were at school at that particular time.

MR TIP : How important do you consider the obtaining of education? -- I see that as being the most important, especially with us, the community, still living in urban areas, because we have got no other source of income. We have got no land where we can grow food and so on. So, you have to be able to sell your skill and if you have the (10) education, you stand a better chance attaining or getting a little bit more that you can survive of.

We will return later to look at some detail to the evidence of Warrant Officer Du Toit and Captain Loots who have testified in this case, but I want to ask you, at this stage what do you say about the suggestion in their evidence that you were urging scholars to boycott schooling in Pretoria in 1983? -- I was really amazed when I heard Warrant Officer Du Toit and Captain Loots telling His Lordship that I did that kind of a thing, because at that particular stage (20) I was struggling and trying to save every little cent to pay for my brothers and sisters who were at school. So, it was not really possible. It would be like one chopping the branch of a tree on which he is sitting. Because on the one hand I was paying, on the other hand I was - it is alleged I was urging students not to boycott classes - I mean I was influencing students to boycott classes.

I want to ask you now about the Afrinews Association. It is common cause that you were a member of that body and that you represented it at United Democratic Front (30)

General/...

General Council meetings.

COURT : Could I just get clarity now. What is Afrinews? -- It is an association which was formed around Pretoria with the purpose of producing different kinds of media and covering news that are not normally covered by the commercial press.

Did it have a board of directors? -- Yes, I was a member of that kind of a board.

We need not call them directors, but a board of managers. Were you one of the board of managers? -- Yes, that is (10) correct.

MR TIP : I want to ask you about its publication. Did it produce - was it connected with the production of any publications? -- Yes, it produced the newsletter called The Eye, although initially it was planned to produce more than The Eye. We intended to produce educational pamphlets and booklets, but we only managed thus far to produce a newsletter called The Eye.

Was the management board of which you were part concerned with editorial decisions relating to The Eye? -- No. We (20) had an editorial board.

Was your management board concerned with the production and distribution of The Eye? -- No, there were structures that were said to do so.

It is admitted in this trial that Afrinews Association took a decision to affiliate to the United Democratic Front? -- That is correct.

Could you indicate to His Lordship please briefly what were the reasons for that decision? -- First of all The Eye - Afrinews being a structure that operates in Pretoria, we (30)

knew/...

knew that there were such structures in other parts of the country and we felt that if we became party to this structure, we would be able to have access to those structures so that we can share and exchange information, but mainly, the main reason why we affiliated is because we are opposed to the new constitution as well.

For how long did you represent Afrinews Association on the general council of the UDF? -- Until the middle of September 1983 because thereafter I was appointed to be one of the secretaries of the UDF Transvaal. (10)

COURT : Was this a fulltime post? -- No.

The secretarial post? -- No.

MR TIP : I want to ask you about the Mamelodi Action Committee. Do you know of such a committee? -- That is correct.

Could you describe to His Lordship very briefly what that committee was formed to do?-- Around 1982 there was an announcement that there is going to be a rent increase because Mamelodi owes something to the region of R2,5 million. So, a group of people including myself came together to discuss this issue and we resolved that we should try (20) to organise a bigger meeting which we did to the community to get a mandate to call by then a treasurer or any person in authority of the City Council at that particular time to come and explain exactly how this debt came about and that is how the action committee was formed.

Were you a member of the Mamelodi Action Committee? -- That is correct.

Were you ever on its executive? -- No.

Do you know whether that committee took a decision to affiliate to the UDF? -- That is correct. After we read (30) about/...

about the Anti-SAIC conference and the resolution thereof we decided that we will join this body of it is formed ultimately.

COURT : You decided that even before the UDF was formed? -- We decided that we will join that body.

You decided that when it is formed, we will join it? -- Yes.

MR TIP : It is appropriate to take up now the question of the formation of the United Democratic Front. When did you first hear of a proposal to form such a front? -- I heard (10) this around February.

Of what year? -- 1983. Although I had read I think towards the end of January about the call that was made by Dr Boesak in an Anti-SAIC meeting in Johannesburg.

Did anybody give you a report about that meeting in which the call had been made? -- Yes. I met a certain Momoniat, Ismail Momoniat who was present when the call was made and then he told me that ultimately the meeting of Anti-SAIC resolved that they would form a committee that will investigate the possibility of forming this front. (20)

Did he indicate to you what the purpose of that front would be? -- Yes. He said the purpose of that front was to oppose the new constitution because it was based on apartheid.

At that stage what was your personal attitude to the new constitutional proposals? -- At that stage, when I read in the papers, my feeling was that in fact African people have got to form some kind of a structure to oppose it, because they were excluded. I did not know that even the Coloured and Indian people were not going to be party to (30)

the/...

the decision making structures as such. They were going to be in separate chambers.

What was your response to the proposed front? -- I thought that in fact opposition from a larger group of other people, other than Africans, would even be much better.

Did you have any idea at that stage what sorts of groups would be included in this front? -- Initially I thought it was going to be civic organisations, but then I attended a meeting, the first meeting in JISWA, where it was made clear that in fact people had in mind things like trade (10) unions, political organisations, youth groups, women's organisations.

COURT : Where was that meeting? -- That meeting was at the Johannesburg Indian Social Workers Association offices in Johannesburg. Its abbreviation is JISWA.

MR TIP : We will come to that meeting shortly, but I want to ask you this first. When Mr Momoniat approached you about this proposed front, did he say that the idea had emanated from Mr Tambo or from the ANC? -- No.

Have you at any time in discussion with any person (20) or at any UDF meeting heard any suggestion of that sort? -- No.

When did this first meeting at JISWA Centre take place? -- It was around February.

Of 1983? -- 1983.

Did you know all the people present at that meeting? -- I knew some, not all. I knew for instance people like Jabu Ngwenya, Monde Mtijtwa. I knew Momomiat was there. I knew Amos Masondo, but there were other people that I did not know that I was meeting for the first time. (30)

What/...

What in brief was the discussion that took place at this first meeting at JISWA? -- We discussed the content of the resolution that was adopted by the Anti-SAIC and then from there we were trying to see exactly how best can it be implemented.

Were any decisions taken about what the individuals present at that meeting should do? -- That is correct.

And what decisions were they? -- It was that different individuals would approach organisations and try to persuade them to become part of this front. (10)

Subsequent to that meeting in February 1983 were you present at a further meeting at JISWA? -- That is correct.

Do you recall when that was? -- I think we held some meetings March - in March and then we held further meetings until April where another committee was appointed from the people present to work on a declaration.

Was an interim committee formed at this meeting? -- That is correct.

And were any persons elected as the secretaries of the interim committee? -- That is correct. (20)

Who were they? -- It was myself, Mr Jabu Ngwenya and Mr Monde Mtitjwa.

What was to be the function of these secretaries? -- It was to co-ordinate and colligate information that came from different individuals that were given tasks to approach organisations.

Was anything done about a draft declaration? -- Yes.

What was done? -- At that particular stage in April that committee was appointed to work out the declaration, which was to be presented in the first meetings of these organisations: (30)

that/...

that would have been approached.

COURT : Was the draft declaration to be presented at a joint meeting of all the approached organisations or individually to each organisation? -- Initially it was to be presented to all the organisations sitting together.

Separately? -- No, together.

MR TIP : Did you personally take part at all in the drafting of the declaration? -- No, I was in this committee that was called the secretariate at that particular stage. Interim secretariate. (10)

Pursuant to the decision which you have mentioned that the individuals should approach various organisations with a view to those organisations becoming a part of the front, did you take any action? -- That is correct. I approached organisations in and around Pretoria.

Do you recall which organisations? -- I approached Afrinews, I approached MAC, Mamelodi Action Committee. I think I approached COSAS as well, the local branch. I approached the trade unions as well, that is NAAWU, National Allied - National Automobile and Allied Workers Union and (20) CUSA affiliates around Pretoria and Motor and Component Workers Union of South Africa. That is MACUSA.

What did you tell the people whom you approached about the proposed front? -- I told them that the call was made by Dr Allan Boesak in a meeting at the Anti-SAIC in Johannesburg on 23 January 1983.

And did you explain the purpose for which this front was being formed? -- That is correct. I told them that the purpose of the front would be to oppose the new constitution because it is based on the apartheid policy. (30)

Did/...

Did you suggest to any of the persons you approached that this front was being formed pursuant to a call from the ANC? -- No.

Did you suggest to any that it was being formed in order to mobilise the Black masses in this country in order to lead to a violent revolution? -- No.

Very briefly, what response did you get from the various bodies when approached? -- Some of them were interested and indeed they did become affiliates thereafter. Others, although they responded positively, did not really become (10) active numbers, so to say, of the front.

Were there any further meetings held at JISWA Centre? -- I think after April the other meeting - the next meeting was on 21 May which was held in Khotso House.

What sort of meeting was that? Who was invited to that meeting? -- Organisations were invited. That is representatives of organisations.

What was the purpose of that meeting? -- The purpose was that the proposed declaration has to be put to this organisation for amendments, additions and ultimately (20) adoption.

Did you attend the meeting on 21 May 1983 at Khotso House? -- That is correct.

Do you recall approximately how many persons were present? -- I would say plus-minus eighty.

And did you represent Afrinews Association at that meeting? -- That is correct.

What decisions were taken at that meeting? -- There were amendments on the declaration and then from there it was adopted. (30)

Was/...

Was any decision taken as to the United Democratic Front? -- That is correct. That was seen as the first general council of that, United Democratic Front Transvaal.

In other words a decision was taken to launch the UDF of the Transvaal? -- That is correct.

COURT : Was it called the UDF Transvaal? -- Yes, after the adoption of the declaration. We approached these organisations and they have agreed to be party to this front and then we put this declaration for adoption at this particular meetings. Amendments were made and then thereafter, after(10) it was adopted, it became the first meeting of the UDF Transvaal.

MR TIP : What was your understanding about the position within the United Democratic Front of the organisations who were represented at that meeting? -- Would you repeat the question, please?

What was your understanding about the status of the organisations that were present -represented at that meeting? -- We regarded every organisation that was present unless it has indicated to be an observer to be a founder member of(20) the UDF Transvaal.

When was the executive of the Transvaal region elected? -- The executive was elected I think on 6 August 1983.

Were you elected? -- No.

COURT : What management was there of the UDF Transvaal? -- The interim committee continued. Although I was not active, I was busy working. Other people who were with me in the interim committee continued to co-ordinate activity.

MR TIP : You say that you were not elected. Were you approached in any way in regard to the executive? -- That(30)

is/...

is correct, but I declined, because at that particular time I had commitments, work commitments.

Is it correct that you were approached to serve as the secretary of the committee? -- That is correct.

I want to go on now to the national launch of the UDF. Did you attend this? -- That is correct.

In what capacity were you present? -- I was asked by the structure of the UDF Transvaal to assist in co-ordination of the buses that were going for the launch. I went to the launch on that ticket, as the co-ordinator of the buses (10) and I ended up in Cape Town.

The buses from where? -- Especially round Pretoria. I assisted in getting buses organised and to make sure how many people would be going, how many are paying and so on.

Did you play any role in relation to buses from any other region? -- Yes, and then from there, after co-ordinating the buses from Pretoria, I had to go to Johannesburg and I assisted co-ordinating the buses from the Johannesburg area mainly.

And any other regions? -- Then I moved to - because (20) it was agreed by - my duties were to co-ordinate these buses and then from there to make sure that they travel, they leave a certain distance between them on the road so that they did not create congestion and then in order to make sure that drivers were following that rule strictly, I drove from here to Bloemfontein. When I got there I discovered that in fact they had problems with the buses. So, I assisted there as well, but that was not arrangement. I just did that because I happened to be there.

On your arrival in Cape Town did you play a role in (30)

the/...

the organisation of the proceedings there? -- Yes. When I got there, there was an advance planning committee that was set by - certain people were elected to this committee to go there and to plan the events of the day. When I got there I found that they have allocated me the role of working - of screening people, I mean to sorting our people who were not delegates. Delegates from those who were not delegates.

I think one would call that a credentials committee? -- Yes, I had just forgotten the term.

That was your role on 20 August 1983? -- That is (10) correct.

Did you participate in the conference portion of the proceedings? -- Well, from time to time I did, but I did not really participate. I would go in may be to make sure that people are seated properly and so on.

During the time that the conference was in session, where were you positioned? -- I was at these tables that were placed outside the door to check credentials of delegates, from non-delegates.

Did you attend the rally? -- Yes, I did attend the (20) rally.

Subsequent to the national launch, it is common cause that you came in time to be elected as one of the secretaries of the United Democratic Front in the Transvaal? -- Yes. Towards the end of September 1983 I was approached again to serve as a secretary of the UDF Transvaal.

We will come back to that, your duties and election as secretary, but for the moment I would just like to put this to you that in your capacity as the secretary, one of the secretaries rather, you attended a number of meetings of (30)

bodies/...

bodies of the United Democratic Front. Is that correct? --
That is correct.

And those would include the general council of the Transvaal? -- That is correct.

The regional executive committee of the Transvaal? --
That is correct.

The national executive committee? -- That is correct.

And the national secretariate? -- That is correct.

And your presence at these various meetings is recorded in the minutes of those meetings? -- That is correct. (10)

As well as the register of general council meetings, which is EXHIBIT 26? -- That is correct.

And it is correct also, is it, that you participated in certain activities resulting from decisions at certain of those meetings? -- That is correct.

It is alleged by the State that the formation of the United Democratic Front, its decision making and the implementation of the decisions was to further a conspiracy of the United Democratic Front and/or the ANC and the SACP in order to mobilise the masses in order again to promote (20) violence which would lead to a violent revolution in the Republic of South Africa? -- I deny that.

Throughout your involvement with the United Democratic Front what has been your understanding of its aims and objects? -- My understanding was that it was found to oppose this new constitution because it was based on apartheid.

And through what process did you understand that it would set about its task? -- I knew UDF to be a non-violent organisation.

Was the question of violence and non-violence ever (30)
discussed/...

discussed in your presence in the United Democratic Front meetings? -- No, I do not remember it coming up specifically. But I know from time to time when such allegations were made by the press and different groups UDF responded and clarified this position stating its position of non-violence.

Were those statements made public? -- Yes.

And did you see a number of them during the period of your involvement? -- That is correct.

What was the attitude of the United Democratic Front to non-racialism in its working methods? -- Well, UDF was (10) a non-racial organisation, because it believed to oppose apartheid one has to include all citizens of South Africa so that they can together ultimately work together to find a solution that would be suitable to all.

And as far as the principal of non-racialism within the organisations affiliated to the United Democratic Front is concerned? -- Can you repeat the question, please?

Did the spirit of non-racialism which you have just enunciated form part of the approach of working together in the United Democratic Front? -- That is correct. UDF (20) had affiliates from all organisations that were organising different sectors of our communities, White - in White and Black areas as well. That is Black, including African, Indian and Coloured.

Was any thought given as to where this process embarked on by the UDF might ultimately lead? -- This process would lead to a national convention where the people of South Africa can sit together around a table and find an everlasting solution to the problems that had been created by apartheid.

What was your attitude to the idea of a national (30)
convention/...

convention? -- I was very supportive of that idea. I thought that that was the only solution that can solve the problems of our country without violence.

I want to turn with you to your election as one of the secretaries of the UDF in the Transvaal. You had said that you had originally declined nomination? -- That is correct.

Were you again approached? -- That is correct.

Do you recall by whom? -- It was Reverend Frank Chikane, sent by the UDF REC Transvaal. That is the Regional Executive Committee of Transvaal. (10)

What was the reason for approaching you again? -- It was because my co-accused here, Popo Molefe was elected to the national office as the national secretary.

Had he previously been the secretary of the Transvaal? -- That is correct.

COURT : Reverend Chikane, is he a brother of yours? -- Distant relative.

How distant? -- It is quite a complicated story. His great grandfather and my grandfather were brothers.

MR TIP : When you were again approached in September 1983(20) did you discuss it with your employers? -- That is correct.

And what was their attitude? -- They agreed. The problem was that I was using the company car so to say to travel from Pretoria to work in Johannesburg. So, I had to approach them.

COURT : Just a moment now. I have not got clarity. You live in Pretoria? -- Yes.

Was CRIC in Johannesburg? -- That is correct.

And they gave you a company car to get home? -- To travel with, yes. (30)

To/...

To get home and back there? -- Yes, back to work.

And now was the idea that you would use the company car as well for the UDF? -- That was my problem, because if I accepted to be a secretary of the UDF, when I was going to do UDF work I could not leave the car behind. So, I had to approach them and negotiate that I use some of those resources that were provided by CRIC.

So, they agreed you could use the company car? -- Yes.

But you had to put in petrol I take it? -- At times I used their petrol. At times I used to pay. (10)

MR TIP : And what was the attitude to the extent that your responsibilities as one of the UDF's secretaries would tie you to give time to the UDF? What was the attitude of CRIC to that aspect? -- They were not really opposed to it, as long as I would have done their work as well to a very great extent. They were not opposed to it, for me using some hours for UDF work.

After this discussion with CRIC did you come to a decision about the approach to you? -- Yes.

And it is common cause that you became one of the (20) secretaries and that was ratified at a meeting of 15 October 1983? -- That is correct.

Of the general council? -- That is correct.

COURT : When did you become secretary in fact? -- I became secretary after my nomination was ratified by ... (Court intervenes)

It was only upon ratification? -- Yes.

On that date? -- On that date.

15 October? -- Yes, that is correct. Except that after I was approached I was expected to attend the regional (30)

executive/...

executive meetings.

MR TIP : Was that before 15 October? -- That was before 15 October.

Were there other secretaries of the UDF in the Transvaal?
-- Yes, there was Mohammed Valli Moosa. He was appointed a fulltime secretary of the Transvaal.

COURT : Has he got three names? -- Yes, three names.

MR TIP : And you were appointed on a part time basis? -- That is correct.

Did you have your own office? -- No, I did not have (10) any office.

Did you have your own desk? -- No. I did not even have a pigeon-hole.

Were you paid at all by the UDF for your ... -- No, I was not paid by the UDF.

What were your duties as part time secretary? -- It was to assist the fulltime secretary in keeping minutes of different meetings like REC and RGC, that is Regional General Council. Speaking to people who wanted to know more about the UDF from time to time. Visiting organisations that were affi-(20)liated whenever required.

Did you have any duties in relation to the compilation of reports? -- I was supposed to do so, but normally it was the job that was done by the full time secretary, because he had all the data coming from the organisations to the office. From time to time I would read those reports. He used to give me those reports to read may be before they are presented.

Did you attend at the offices of the United Democratic Front on a daily basis? -- No, except when it was really necessary, like the REC, that is Regional Executive Committee meetings (30) were/...

were held in the office and I was compelled to be present at those meetings. From time to time people used to come from different parts of the country and wanting to know much about the UDF. At times we would find that the secretary, the full time secretary was busy with something and then they would phone me from my office to come and speak to those people.

COURT : How far was your office from the UDF office? -- I will try to give my estimate. It should be about 5 K's I think. Just Braamfontein is next to De Villiersspruit (10) which is next to Park Station.

MR TIP : And would it happen sometimes that several days would go by without your going into the office at all? -- That is correct.

Until when did you serve as the part time secretary of the Transvaal? -- Until 9 March 1985.

Is that when a new executive was elected? -- That is correct.

On that occasion, did you make yourself available for re-election as secretary? -- Yes, I stood for the post of (20) publicity secretary for the region, but lost.

And the position of secretary, did you stand for that? -- No, I did not.

And after that date, were you in any way involved in the affairs of the UDF? -- No. I did not attend any single meeting of the UDF thereafter.

I want to just ask you about the physical arrangements with the offices of the United Democratic Front. Did you have access to the national office? -- No, in fact there were problems with the national office. Although they were (30) adjacent/...

adjacent to each other. Often people in the national office were very unhappy that the regional office should do some of their resources, like telephone and so on.

ASSESSOR (MR KRUGEL) : Too many telephone calls? -- That was the problem. I am not trying to justify my case, but I must just explain because this national office was based in the Transvaal and we had a lot of people coming from affiliates. From time to time people would ask to use the phone and at times they would persuade the secretary, the administrative secretary that the issue they are using the telephone for(10) is for the benefit of the organisation and people in the national office were not happy with those kind of thing. That is the kind of problem. I am just trying to give an idea of what kind of problems we experienced at that stage.

MR TIP : Did you as part time secretary of the Transvaal region have occasion to go into the records and documents kept in the national office? -- No.

COURT : Were there records and documents kept in the national office? -- That is correct. I presume so, because they had these big safes where records are kept. (20)

MR TIP : I want to turn now to deal with the committees that you are alleged to have been a member of. The first one is the Treason Trial Support Committee. Were you a member of that? -- That is correct.

When was that committee formed? -- I think it was around October if my memory serves me well.

COURT : October 1983/84? -- 1984. August/October, I am not quite sure, but it was around that time. After the detention of people that were appearing in Pietermaritzburg trial, treason trial. (30)

MR TIP/...

MR TIP : What was the idea behind the formation of this committee? -- It was that UDF should give moral and material support wherever possible to the families of those who were charged in that treason trial. And to help the families in whatever advice they needed. .

Was it an active committee? -- In the scope that I have defined, yet, it was.

It is alleged also that you were a member of the Media Committee? -- No, that is incorrect. I deny that.

Do you know whether or not there was such a committee?(10)
-- There was a committee.

COURT : Was there one committee in the Transvaal and one national committee or are you speaking of a Transvaal committee? -- I am speaking of a Transvaal committee.

MR TIP : Were you at any stage involved in the election of UDF Media or UDF publications? -- No, that is incorrect. I was not.

Did you participate in any activities organised by the Media Committee? -- Yes, I remember I participate in one workshop held in the beginning of 1984. (20)

What was that workshop concerned with? -- It was the publication of the million signature booklet.

And without going into any detail, what was your role ... (Court intervenes)

COURT : Just a moment, whose workshop was it? -- It was organised by the Media Committee.

Of the Transvaal? -- Of the Transvaal.

And when was it? -- Either January or February. I cannot remember the specific date, but it was the beginning of 1984.

MR TIP : Without going into detail, what was your role (30)

at/...

at that workshop? -- My role was that I was heading a commission that was to try to look into the educational content of this booklet that the Media Committee wanted to produce.

ASSESSOR (MR KRUGEL) : Was it not a MSC booklet? -- Yes, million signature booklet.

COURT : When you say educational content, what do you mean by that? -- When you compile a booklet like - I think it is W52 in this matter, you try to look at which kind of aspects can that booklet serve. In order to make sure that it serves to accomplish the aspects that you wanted to accomplish, (10) then you appoint different committees to look at that and to make recommendations of what is to be included.

What other commissions were there then? -- I think there were commissions on the conduct of or let me say discipline. I cannot remember them all, but there were different commissions that were looking at different aspects.

The educational content, what did you have in mind there? -- At that particular stage we had in mind that it should be able to - it should enable people to learn to work together as a group, it should enable people to understand (20) the role that collection of signatures, the benefit of the collection of signatures can bring to different organisations and to the UDF and again to make sure that the million people that they are going to speak to, get to understand what is UDF all about and what the new constitution is all about and why are we opposed to it. More or less something along those lines.

MR TIP : Before we go on to look at the next committee, perhaps I should just clarify this with you. Did the Transvaal office of the UDF maintain records? -- That is correct. (30)

The/...

The next committee which ... (Court intervenes)

COURT : Before we get to that committee, it might be a convenient time to adjourn.

WITNESS STANDS DOWN.

COURT ADJOURNS. COURT RESUMES.

MOSES MABOKELA CHIKANE, still under oath

FURTHER EXAMINATION BY MR TIP : Mr Chikane, I want to go on now to the education and training committee. Were you a member of that committee? -- That is correct.

COURT : Of Transvaal? -- That is correct. (10)

MR TIP : What was that committee established to do? -- The committee was established to conduct workshops, internal workshops with affiliates from time to time per request.

When you say internal workshops, what do you mean by that? -- Workshops that are requested by member affiliates and that does not include other issues like education, but issues that were external of the UDF. That would include affiliates and it would be issues that concerned and are raised in the UDF General Council for instance.

We have heard mention in this case of an education (20) commission that was to be directed by Mr Curtis Nkondo. -- That was a different structure.

What was the education commission which Mr Nkondo was supposed to concern himself with? -- The education commission was to handle the issue of formal education.

Was that in any way concerned with the affiliates? -- Yes, I think it would have involved affiliated organisations like NUSAS, COSAS and AZASO.

Do you know whether the education commission of Mr Nkondo was in fact ever set up? -- As far as I know it has never (30) worked/...

worked.

Do you know whether there was any reason for that? -- Mr Nkondo, after he was appointed, I think he attended a few general council meetings and then later he was reported sick and then he never attended any more meetings of the general council - meetings of the REC. He was a member of the Transvaal REC.

Coming back now to the education and training committee of which you were part, did it in fact run any workshops? -- Yes, it did. (10)

What was the first workshop that it conducted? -- The first workshop was around the BLA. It was conducted in Krugersdorp, Kagiso.

For the sake of clarity, do you mean by the BLA, the Black Local Authorities? -- Black Local Authorities.

What particularly was it concerned with? -- It was to give the affiliated organisations an insight of what the BLA intends.

Were you present at it? -- That is correct.

COURT : Was this held for which affiliate? -- The workshop(20) itself was organised as a result of a call made by KRO. That is Krugersdorp Residents Organisation.

MR TIP : I do not know, did you give the date when this workshop was held? -- I cannot remember the specific day, but it was in November 1983.

You say you were present there. Do you recall who the persons were who spoke at the workshop? -- That is correct. It was Mr Mohammed Bham who was a member of the committee. He is an attorney by profession. He explained what the Black Local Authorities entail. (30)

If/...

If you say what the Black Local Authorities entail, are you referring to the act? -- To the act. He explained the act to us.

Did he explain whether there were in his views shortcomings in the act? -- That is correct. He mentioned that as far as he can see, the Black Local Authorities, it is going to be a structure that is being controlled by the Minister. He further pointed out that it does not look like the structure is built in such a manner that the structure would be able to get the resources. (10)

Do you recall any other persons that spoke? -- Then there was Mr Amos Masondo.

And briefly, what was his talk concerned with? -- His talk was concerned with the fact that the people who were going to be elected under the Black Local Authorities were not in a position to acquire land and he said that is going to make it quite difficult for them to be able to build more houses, because the major problem is African areas especially is lack of houses. Then I spoke as well and supported him. I further added that more than that is that these structures (20) are proposed and elections are going to be taking place whilst we know that the community councillors have - in fact the townships have got debts. The township under the community councillors had a lot of debts. I remember at that particular time Mamelodi was said to be in debt to the region of about R2,5 million. So, I was saying these people would be elected into the debts that had not been created by them.

Did any members of KRO have anything to say? -- Yes, they spoke as well. I think they spoke about - in fact they said they were supportive of the UDF and they spoke about (30)

the/...

the problems they are experiencing and then they said as far as they are concerned the position is that they would not support, they would call for a boycott of the elections. under BLA.

We will leave that workshop. What - were there further workshops organised by the education and training committee? -- There was one more which was in April - I think the end of April 1984 held in Daleside.

Do you remember what the subject member of that workshop was? -- Yes, the workshop was to try to see - in fact the (10) motivation from the organisations that have called for that workshop which is initially towards the Soweto Civic Association I think immediately after the Vaal - after KRO and then it was supported by the Vaal Civic Association. They wanted to have a workshop of all the organisations together to try to look at what need to be done after the elections. What could be done.

Would you have a look please at EXHIBIT U4. Did you yourself play a role in the organisation of this workshop?

-- That is correct. (20)

What role did you play? -- I issued invitations.

Would you look at EXHIBIT U4(a). Is EXHIBIT U4(a) the invitation to which you referred? -- That is correct.

You will see attached to that invitation is a document headed UDF Education Committee education program for civics.

-- That is correct.

Did you play a role in the formulating of the program?

-- That is correct.

Were you present at the workshop yourself? -- No, I was not present. (30)

Did/...

Did you thereafter receive a report about the conduct of the proceedings at the workshop? -- That is correct.

Would you have a look at EXHIBIT U4(b). Have you seen that report? -- That is correct. This is the report that I saw after the workshop.

And in what circumstances did you see it? -- After the workshop was conducted by members of the committee I demanded them to give me this report, because they told me that they had this report, so that I can look at it and report to ...

(Court intervenes) (10)

COURT : For whom was the report prepared initially? -- A copy was to go to the REC, that is the Regional Executive Committee and these other copies would go to participants of that workshop per demand.

ASSESSOR (MR KRUGEL) : That is the REC of UDF? -- UDF Transvaal, yes.

MR TIP : In order just to clarify the nature of the remaining documents in the U4 series would you look please at U4(c). That is a list of names and addresses? -- That is correct.

Can you confirm what that document is? -- It is a (20) register of the people who attended the workshop.

And the following document U4(d), are you able to clarify for His Lordship what that document is? -- I was told that this is the document - it was one of the hand-outs that were given at that workshop dealing with Black Local Authorities Act.

Is that the hand-out referred on page 11 of the report U4(b)? -- That is correct.

After the Daleside workshop, did the education and training committee organise any further workshops? -- No, (30) they/...

they did not organise any.

Were any workshops organised by the other committees or affiliates of the UDF? -- That is correct.

Were those done in conjunction with or independently of the education and training committee? -- They were done independent of the education and training committee.

Will you have a look at EXHIBIT AB2.

ASSESSOR (MR KRUGEL) : What is the admission in respect of this document?

MR TIP : It was found at the UDF office Khotso House, (10) Johannesburg. For the sake of the record, this is a document headed report from UDF Transvaal Education Committee to UDF Transvaal Executive? -- That is correct.

Have you seen this report before today? -- That is correct.

Do you recall when you saw it? -- It was around June.

Of what year? -- 1984. It was after the evaluation committee that was appointed by the general council of the UDF in May, UDF Transvaal, has proposed the restructuring of the whole region.

Do you know who prepared this report? -- That is correct. (20)
The names of those who prepared it are at page 4 of this document.

For the record it is - the names appear as follows "The UDF Education Committee Mike Roussos, Mohammed Bham, Amos Masondo, Peter Harris and Benita Pavlicevic. Your name does not appear amongst those? -- That is correct.

Did you personally not participate in the preparation of the report? -- No, I did not participate in the preparation of this report.

Was the report submitted to the executive, to your (30) knowledge/...

knowledge? -- That is correct.

And did you yourself read this after it had been submitted?
-- That is correct.

In general, does it correctly set out the difficulties that were associated with the operation of the education and training committee? -- That is correct. First, since I was appointed the assistant secretary of the Transvaal and as I have already indicated to Your Lordship that I was living in Pretoria, it was very difficult for me to act as a co-ordinator of the committee, because I spent at least every Tues-(10) day and Thursday I was expected to attend the regional executive committee meetings in Johannesburg in the evening. Most of them were held in the evening. I could not find time to act on some of these committees that were set up in the UDF, because I was living very far.

I want to direct your attention to certain portions of the report and to ask you specifically whether they are accurate. Firstly on page 1 halfway down the page there is a paragraph beginning "After the seminar, various comrades on the committee found that they had many other commitments (20) and that it was very difficult for them to arrange times to meet. Comrade Moss was at that time also elected into the position of Transvaal secretary of the UDF to replace Popo who had become national secretary. This meant that he had very little time to give to the education committee." -- That is correct.

COURT : The seminar to which reference is made, which seminar was that?

MR TIP : It appears from the foregoing paragraph. It is the workshop on the Black Local Authorities Act held in (30)

November/...

November 1983. -- Then I must explain that in fact that was the only thing that did not come out much clear in this report, because at that particular time in November I was already a secretary of the region.

K967

So, the time of the reference in the paragraph I have read is not quite correct as to when you were elected as secretary? -- No, I was elected before they held this workshop in November 1983.

But does it correctly reflect that you had very little time to give to the affairs of this committee? -- That is (10) correct.

If you would turn please to page 2. Again in the middle of that page the committee members are set out and your name appears next to the position of co-ordinator? -- That is correct.

And immediately after that, the paragraph reads as follows "After this meeting (that was a meeting held by the committee early in 1984) the committee once again had no problems meeting and it became clear that Comrade Moss was far too busy with other UDF activities to act as group (20) co-ordinator" and in the next paragraph "The group thus decided to get Mike Roussos to co-ordinate the committee and that Moss would be the liaison person with the executive." Does that accurately reflect your changing position in relation to this committee? -- That is correct.

Then on page 3 in the concluding portion of the second paragraph there is a last sentence. It says "Comrade Moss will obviously help when he can, but as he is very busy, he is unlikely to be able to attend very many of our sessions." In actual fact, are you able to tell His Lordship whether (30) you/...

you were able to attend many of the sessions of the education and training committee? -- No, I was not.

And then I want to direct your attention finally from the concluding line on page 3 and over onto the first paragraph of page 4 "We recommend that we be answerable directly to the Exec or Secretariate. We will submit regular reports to one of the Transvaal secretaries to be submitted to the Exec or Secretariate by him. We will also have a co-ordinator who will convene meetings, chair them, et cetera and will communicate with one of the Transvaal secretaries. We (10) will act as the Exec/secretariate/liasion person." Are you able to clarify why the reference appears in this paragraph to one of the Transvaal secretaries? What was your position at this stage? -- Because I was not operating from the office and I had a fulltime work, it was really impossible for the committee to find me at times when they needed me. So, they were proposing that they be given a mandate to report to any secretary they can get, have access to at any particular time when they want to be in contact with the UDF Transvaal Executive. (20)

Arising from that, let me ask you this. Did you in fact personally continue to play the role of liaison person? -- No, I did not.

Whilst we have this report, if you would turn back please to page 2 in the second last paragraph on that page the one beginning with "We decided to start with an event for people from the civics. As a request had already been made by one civic in the Vaal area and various others had expressed the need of some sort, we set a date for the end of March. This eventually had to be postponed for a (30) month/...

month, because the invitations were not done properly.

The seminar then took place over the weekend of 27, 28, 29 April and was a great success." Does that refer to the Dale-side seminar? -- That is correct.

And for completeness of record, could you just explain what the reference is to the invitations not having been done properly? -- That is correct. Because I could not attend some of the meetings of the committee I relied much especially on arrangements, logistical arrangements of workshop on the assistance of the administrative secretary. (10) So, what happened in this case is that I had requested him to try to book a venue for the workshop and then he told me that in fact he has got a venue. I continued to prepare the invitation for the workshop, only to find that the venue was not confirmed and therefore the workshop could not take place and we had to postpone it.

I want now to turn to the education crisis in Pretoria. It is common cause that there was an interruption of schooling in the Atteridgeville/Saulsville area during 1984? -- That is correct. (20)

As far as your personal knowledge is concerned, when did that interruption begin and what gave rise to it? -- Initially when I gave instructions I believed that the interruptions started in the beginning of 1984 school year, but I subsequently discovered that in fact it started earlier. The cause of this disruption ... (Mr Tip intervenes)

I am sorry, just before you go on to that. I just want to clarify what you are dealing with. You are referring to instructions that were put to the witnesses Du Toit and Loots? -- That is correct. (30)

And/...

And the subsequent correction that you in fact agreed that some boycott activity took place in the latter half of 1983? -- That is correct.

In 1984 as far as your personal knowledge was concerned, what gave rise to the difficulties? -- It was common plain talk that the disruptions were created by students finding some of their unmarked script. They used to say it is matric unmarked script and subsequently we discovered that in fact they were not matric unmarked script.

COURT : Was the disruption caused by other scripts than (10) matric scripts? -- In fact, as I say, the problem in the locations was it was matric unmarked script, but I later discovered that in fact it was not matric scripts that were unmarked.

What caused it? -- There were some unmarked scripts, but I think it was St. 7 or so. It was not matric unmarked script. That just brought other grievances into focus.

ASSESSOR (MR KRUGEL) : Do you know what caused this - what caused the scripts to be discovered? What gave rise to it? -- It was reported in the newspapers that students when (20) playing around discovered these scripts in the desk or somewhere in the classroom and they were unmarked, after the exam results of 1983 ... (Mr Krugel intervenes)

The matric results? -- Yes, that is what they used to say, but as soon as one got involved in the situation, we discovered that in fact it was not matric unmarked script. It was only St.7.

MR TIP : But in relation to the matric results, were there any complaints in that regard, the matric results from the end of 1983? -- Yes, there were complaints ... (Court (30) intervenes/...

intervenes)

COURT : Before we get to the matric results. Let us get to the bottom of it. How many were allegedly or were in fact discovered of unmarked St. 7 papers? -- I never really got to investigate the number of those papers. As I say it was just a general talk. It was carried by newspapers. That is how far I can take it. It was mentioned by people in that area.

But this St. 7 was not a public examination or was it?

-- That is correct. (10)

So, it was merely one teacher at one school who possibly did not mark some scripts? -- That is my impression that I have. I never got involved in that situation. As I say, that brought other grievances into focus, because immediately after that because of the high failure rate of matric and students were talking, demanding the SRC's, they started talking about corporal punishment as not being in terms of the regulations set by the Department of Education and Training. They started speaking about sexual harrassment of the female students. (20)

I have not got clarity on this. What newspaper carried this report? -- The Sowetan, as far as I remember. I think even the City Press or the Rand Daily Mail, I am not sure, but I am definite that the Sowetan carried it.

But this was a highly irresponsible report then? -- No, the papers did not say it was matric results. The papers said the students found unmarked script.

ASSESSOR (MR KRUGEL) : After the matric results had been published? -- Yes, it was after the matric results had been published. I think people took it that it is matric (30)

results/...

results that the scripts were all about, but the truth of the matter is that it was not. The papers did not mention what standard the scripts were.

COURT : Did they mention the number of papers? -- I cannot remember.

It is just - it is such a silly thing, it seems to me, if a number of papers are found unmarked in a desk somewhere in a school to put it in the newspaper? -- That was the case.

MR TIP : What was your personal attitude to this particular event, the finding of some unmarked scripts? Did you (10) consider that to be a very serious problem? -- I thought that was an administrative problem. I did not really think that it was serious or a serious problem as such that could involve the whole community. I thought it was mainly an administrative problem.

Do you know whether some boycott activity commenced in Atteridgeville/Saulsville? -- That is correct. After these scripts - in fact around February the boycotts in different schools in Atteridgeville ... (Court intervenes)

COURT : I thought you said in 1983 already, the latter half (20) of 1983 you had boycotts at schools? -- Yes.

But the matric results of 1983 were not out at that stage? -- That is what I came to discover later.

Apart from papers being unmarked, matric had not been written by this time these people were boycotting the schools already? -- I agreed that that is the case, because I have seen in one of the exhibits which is a newspaper cutting that in fact there were some boycotts in some instance and I considered that that was so, but I cannot say specifically in what month the boycotts were on in Atteridgeville. That I (30)

do/...

do not know.

Because that would then mean that the boycotts in the later half of 1983 had nothing to do with the unmarked papers?

-- That is correct and I did not personally know about that until I saw that exhibit.

MR TIP : Did you come to hear of the death of Emma Sathekge?

-- That is correct.

With Your Lordship's leave, may I lead the witness very briefly in respect of hearsay, as to what he heard about the circumstances of her death? Just to contextualise what he(10) understood the position to be when he subsequently took some steps.

COURT : Go along until we get an objection.

MR TIP : What had you hear had been the circumstances of the death of Emma Sathekge?

MNR. JACOBS : Ek dink dit is iets wat ek nie sien wat op hoorsê getuienis hierso gesê kan word dat die getuie kan kom sê wat hy gehoor het wat die oorsaak is daarvan nie. Ek maak beswaar daarteen.

COURT : How is it relevant to your case? (20)

MR TIP : Well, it is certainly not tendered for the facts, but certain- the witness heard of certain events ... (Court intervenes)

COURT : Let us state that he heard that she had died. Then you can go on from there.

MR TIP : That may be so, but in relation to the circumstances and some of the events that took place which are not tendered for the truth, they indicate the background against which the witness then took certain steps.

COURT : Tell us what the steps were that were taken first.(30)

Then/...

Then we get the reasons.

MR TIP : After you had heard of the death of Emma Sathekge, did you yourself take any action? -- That is correct.

What did you do? -- I informed the REC, that is the Regional Executive Committee of the Transvaal and asked a mandate from them to try to investigate these problems, because I felt that if it is not investigated in time, it has the potential to erupt to the situation that we experienced especially around 1976.

COURT : Could you just give me a date, please? When did(10) she die? -- I am not sure of the exact date, but I remember when I heard about it, it was about 13 or 14 February.

Of which year? -- 1984.

MR TIP : What was your attitude to the events of 1976? -- As far as I know there was a peaceful protest that was taking place in that the police ... (Mr Tip intervenes)

I am not asking you to try to detail how events took place, but just to express to His Lordship in general terms how you felt about the eruption during the period? -- I felt that the loss of life that took place at that particular (20) time was not worth it. I felt that most possibly if organisations and influential people intervened in time, we could have possibly saved what happened, the disaster that was caused by those upheavals at that particular time.

Did you in the discussion with your other REC members make any suggestion about what the UDF could do? -- That is correct. The REC gave us the mandate to go to Atteridgeville, organise a meeting in Atteridgeville to try to find the facts of what created the school boycott and ultimate the death of the students and to try to bring peace between teachers(30)

and/...

and students, because at that particular day, at that particular time we had just learnt that a school principal, Mr Molepo's house had been stoned by students.

Do you recall whether or not Bishop Tutu took any steps at this stage? -- At that particular time we learnt that Bishop Tutu had sent a telegram to the Department of Education and Training.

Do you recall whether any publicity was given to the telegram sent by Bishop Tutu and to the decision by the UDF as to what it could do? -- That is correct. I remember (10) reading in the press that Bishop Tutu had sent a telegram to the Department of Education and Training. At that particular stage we had informed the papers that we are convening a meeting between the parents, the teachers, school principals and students in the Roman Catholic Church. A meeting was convened in the Roman Catholic Church in Atteridgeville.

My Lord, may I hand to the witness a copy of a report in the Sowetan of 15 February 1984.

COURT : Yes.

MR TIP : Did you see that report? -- That is correct. (20)

COURT : The heading seems to be incorrect?

MR TIP : Yes. I am instructed that in fact the the C of Call was cut off by the librarian and it should read "Call to government on unrest." If Your Lordship will receive it, this will be DA112. There are only three paragraphs that I would like to read onto the record. The first two and the last one. The first two read as follows "Black leaders yesterday expressed outrage at the death of a 15 year old student at a Pretoria school and have called for an urgent meeting with the Government to avert a recurrence of the (30)

1976 unrest. Bishop Desmond Tutu, general secretary of the South African Council of Churches (SACC) has sent a telegram to the Minister of Education and Training but would not reveal the contents of the telegram to the press." The last paragraph in the report reads as follows "Mr Popo Molefe, national secretary of the United Democratic Front (UDF) said the UDF will be sending invitations to various individuals and organisations to a meeting to discuss the incident at D.H. Peta High School in Atteridgeville." Did that meeting take place? -- That is correct. (10)

Do you recall on what day it took place? -- It took place on 15 February.

The same day as this report? -- Yes, the same day as the report.

And I think you mentioned to His Lordship that this was at the Roman Catholic Church? -- That is correct.

Were you present? -- That is correct.

Were any of your co-accused present? -- That is correct. Mr Popo Molefe, accused no. 19, was present.

Approximately how many persons attended that meeting?(20)
-- About four to five hundred people attended that meeting.

Did you yourself speak? -- That is correct.

Do you recall what generally the message was of your speech to the people there? -- That is correct.

What was it? -- I was appealing to the community to be calm, especially after the attack on the house of the school principal, Mr Molepo and I was saying even genuine grievances do not justify the violence, because I believed that violence breed no violence in most of the cases. More or less that is what I said. (30)

I/...

I did not ask you this. I should have already. What sorts of people in fact were present at this meeting of four to five hundred people? -- There were students, parents and teachers.

Did the meeting come to any conclusion? -- In fact some of the COSAS leaders who spoke and dissociated themselves from the acts that were committed at Mr Molepo's house said that was not the work of their organisation, it was possibly the work of the undisciplined youth.

Do you recall whether any teachers spoke in this meeting?
-- That is correct. I remember Mr Bhali speaking who was
the vice-president. (10)

For the sake of the record, the D.H. Peta High School, is that the school at which Emma Sathekge died? -- That is correct.

COURT : Was the house of the principal of that school stoned?
-- That is correct.

That is Mr Molepo? -- Mr Molepo.

Was Mr Molepo at the meeting? -- No, he was not. But the vice-president, Mr Bhali, was present. (20)

Why did Mr Molepo not attend? -- He was invited, I cannot give reasons really, but I think that may be he was just too upset that his house had been attacked. That is what I think. That is not what had happened.

Why was the principal's house stoned because I had understood that the cause of the death had nothing to do with the principal? -- I was just trying to give the picture of what I got to know as I got into the situation.

You do not know? -- I cannot explain why was it stoned, but as far as township talk goes, they were saying the (30)

students/...

students and the youth that the teachers had taken sides with the police against the students.

MR TIP : Did you hear any allegations made in regard particularly to Mr Bhali? -- That is correct. It was alleged and he, Mr Bhali, in fact confirmed it that he is person who opened the gate on this fateful day when the police vehicle overran this school girl, Emma Sathekge.

And you say he, Mr Bhali, spoke at the meeting? -- That is correct.

Very briefly, what did he say there? -- He said he (10) appreciated the effort and the interest of the UDF in the matter to try to bring peace in Atteridgeville, especially between students and teachers. That was the tenor of his speech.

I want to leave that meeting now. Did you later in the week attend any other meetings about what was happening in Atteridgeville? -- That is correct. On Friday I was in my office, that is CRIC's office and I got a phone call from the office that Bishop Tutu had organised a meeting with parents, teachers and students in Atteridgeville and we (20) were invited, the UDF.

Just for the record, the date would be 17 February 1984. Did you respond to the invitation from Bishop Tutu? -- That is correct. I immediately moved from my office and came back to Atteridgeville. I attended the meeting which was to be held that afternoon.

ASSESSOR (MR KRUGEL) : Was the invitation from Bishop Tutu himself? -- That is correct.

MR TIP : Did you attend the meeting convened by Bishop Tutu? -- That is correct. (30)

Were/...

Were the scholars there in attendance when you arrived?
-- No, when I got there I discovered that in fact students were not present in that meeting. People who were there, among them Bishop Tutu and Reverend Mogoba, requested me and my co-worker, Deacon Mathe and Titus Mafolo from the Atteridgeville/Saulsville Residents Organisations to go and speak to the students, because the students were not present, to urge them to come to this meeting.

COURT : Deacon Mathe was your co-worker where? -- In Community Resource and Information Centre. (10)

And Mafolo? -- Mafolo was a member of a local organisation. That is Atteridgeville/Saulsville Residents Organisation. They asked us to go and speak to students to urge them to attend this meeting organised by Bishop Tutu.

MR TIP : Were you successful in your efforts? -- Yes, but when we got there, students will say if the Department of Education - because they were told that a representative of the Department of Education and Training was to be present in this meeting, they thought that if those people were going to be present, there was a great possibility that (20) the police are going to be present and they will be seen as ring leaders and they will possibly be arrested. So, they were afraid because of that reason. But then we urged them to attend. I think His Lordship's words express it much more clearly when he said the tallest tree catches more wind. If you are in the leadership of organisations, you have to do it, even if you will be victimised ultimately.

COURT : So, they came? -- They came ultimately.

MR TIP : Were there in fact representatives of the Department of Education and Training present at this meeting? (30)

That/...

-- That is correct. There were some inspectors, but I think, I do not know what their undertaking was to Bishop Tutu, because although inspectors, local inspectors were around, they then informed the meeting that the Department has apologised and they wanted to give the community a chance to resolve this problem on its own and the apology was accepted.

You say the people at the meeting respected this point of view? -- That is correct.

Approximately how large a meeting was this one? -- (10)
I would estimate it between forty and fifty of people in that meeting.

You have mentioned that there were inspectors and students present. Who else? -- Parents, school principals and teachers and members of the local committees.

What was the atmosphere at this meeting? -- People were quite aggitated because school principals have been attacked and on the other hand students were saying that they have already lost one member because they do not have a structure that can facilitate communication between them and teachers. (20)
They said those would not have happened and they were blaming the incidents mainly on the ineffectiveness of the prefect system. There was a lot of tension.

Did you yourself speak at all at this meeting? -- Yes, I think I responded when one of the teachers were saying they are not prepared to be dictated to by students and I was saying to them that in fact that was not the purpose of the meeting. The purpose of the meeting was just to try to create calm and communication between students and parents and teachers. It was not that one group should dictate to (30)

the/...

the other.

In the course of this meeting, did the question of the funeral arrangements for Emma Sathekge come into discussion at all? -- That is correct. One of the issues that were raised in this meeting was that the teachers were excluded in the arrangements for the funeral, because they wanted to be included so that they can pay respect to the bereaved family and they can start building bridges with students.

How did you feel about this attitude of the teachers? -- I felt in fact that it was correct for them to feel (10) that way, because it meant, if they were excluded that whatever is said there at the funeral to the bereaved family in that kind of emotional set-up that would have been created by the death of this student, teachers would not be able to be seen as people who can play a constructive role to bring peace in that area. So, I felt if they are included, much the better.

COURT : So, what was decided? -- Ultimately it was decided that they be included.

MR TIP : Was anything decided about further meetings? -- (20) That is correct.

What was decided? -- It was decided that participants in that meeting have got to continue to hold meetings to try to resolve this tension in the community of Atteridgeville as quickly as they possibly can.

Did any sort of committee emerge from this meeting? -- That is correct. The committee that emerged there, at times it was called a peace committee, composed of teachers, students, parents, members of local organisations and I was party to that committee as well. (30)

Without/...

Without trying to detail dates, did the committee in fact meet on subsequent occasions? -- That is correct.

How regularly? -- Once a week.

Until when? -- As far as I am concerned until towards the end of April.

Of 1984? -- 1984.

Before we get to April 1984, I just want to deal with one other aspect of the decision making at this meeting on 17 February. Was anything decided about the master of ceremonies at the funeral of Emma Sathekge? -- That is (10) correct. I was appointed by this group of teachers, students, inspectors, school committees to be a master of ceremonies at that funeral.

Do you recall what your first task as master of ceremonies was at the conclusion of the meeting? -- My first task was to, after the program had been amended and teachers were included, was to go to the bereaved family in the company of one of the teachers and to appeal to the people that are gathered there to allow a teacher to speak. It was especially students that were present there. (20)

Who was the teacher? Do you remember? -- This meeting appointed Mr Bhali, the vice-principal of D.H. Peta.

Did the students gathered at the Sathekge home in fact allow him to speak? -- No, he was not allowed to speak.

COURT : Allow him to speak at the funeral or at the home?

-- At the home. That was the night before the funeral.

ASSESSOR (MR KRUGEL) : But was permission sought for him to speak at the funeral? -- No, initially it was that I should go there and appeal because we knew that there was a lot of tension and we could feel in that meeting that we had, so (30)

that/...

that meeting gave me the mandate to go and appeal to the people gathered at the bereaved family's house that very night to allow the teachers to speak, otherwise teachers were now included in the program. The program was changed by the meeting.

COURT : So, you wanted them to speak at the vigil and also at the funeral itself, the grave? -- That is correct.

They were refused permission to speak at the vigil. Were they refused permission to speak at the grave as well? -- No, some teachers spoke at the grave. In fact even at the (10) vigil, but this Mr Bhali was refused. It was alleged that he was the person who had opened the gates for the police cars to move in that killed the student.

Were the students in fact in charge of this funeral? Because otherwise the family could have given permission? -- Not really, but you know, in that kind of set-up you would find a lot of people. I think there were hundreds and hundreds of them there outside. The reason why we had to approach them is that we wanted to make sure that there would not be any problem if this particular person speaks. (20)

MR TIP : It is correct, is it not, that the funeral itself took place on the following day, the Saturday, being 18 February 1984? -- That is correct.

Before we turn to that, I want to ask you whether you recall whether or not the efforts of Bishop Tutu to bring - te restore peace were given any official recognition in the public press at the time? -- That is correct. I remember reading the statement issued by an official of the Department of Education and Training, congratulating Bishop Tutu's effort to try to resolve the situation in Atteridgeville amicably.(30)

May/...

May I show the witness a cutting from the Pretoria News of 24 February 1984? Do you recall whether or not you saw this report? -- That is correct.

May I tender it as DA113. It is a cutting headed "Boycott halted: Tutu praised." I do not propose reading the entire cutting on record. The first paragraph indicates the essential nature. It is as follows "The Minister of Education and Training, Mr Barend du Plessis, has lauded the contribution made by Bishop Desmond Tutu to 'politically and emotionally defuse the Atteridgeville schools' boycott.'" (10) I want to turn now to the funeral on 18 February 1984. You have told His Lordship that you were the elected master of ceremonies. Did you act as such on that occasion? -- That is correct.

Did the funeral proceed peacefully or was there any trouble? -- It proceeded peacefully up to the end.

Can you give any indication as to how many people attended this? -- As I remember some newspapers were putting the number of people ... (Court intervenes)

COURT : Do not give me newspaper reports. I have had (20) more than enough of that. Just give me your own estimate. -- I would say about ten thousand. Ten to fifteen thousand.

MR TIP : In the course of the proceedings did you yourself speak at any stage? -- That is correct. I spoke before the corpse left the family's house and I spoke even at the graveyard.

What was your message to the people there? -- I appealed to students to go back to school and appealed to parents to try and resolve this problem first with people affected in the area of Atteridgeville and secondly to try to (30)

look/...

look at the grievances of students and those that need to be taken up with the Department, to take them up with the Department.

Do you know whether subsequently to this funeral the students in fact went back to school for a period or not?

-- That is correct. The students did go back to school.

COURT : For how long? -- For a few days. Because I think - the funeral was on Saturday - on Monday they went back.

Before the week was out, I think there were already problems in some schools. (10)

Do you mean they started boycotting again? -- They were claiming that some teachers were victimising individuals accusing them of being ring leaders and for that reason they were boycotted in solidarity.

MR TIP : You mentioned that the committee formed at the meeting of 17 February 1984 met from time to time. Do you recall whether or not some of these meetings were made public, notifications ... (Court intervenes)

COURT : Is that the peace committee?

MR TIP : Of the peace committee. -- That is correct. (20)
They were made public. The reason of making them public is that ... (Court intervenes)

COURT : You mean it was not held in public, but the public was notified about the fact that they had met? -- That they were going to meet.

That they were going to meet? -- Yes, you see, at that particular stage there were about six high schools that were affected by the boycotts and we were issuing invitations, personal invitations to these principals from time to time. We just wanted to make sure that everybody else knows, in (30)

case/...

case there are other schools that are affected, so that people can come to this meeting, even those that we could not afford to give them personal invitations.

MR TIP : And did you from time to time state through the press what your intention was in relation to these meetings?
-- That is correct. We used to state that we want to bring - we want to resolve this problem as peacefully as we possibly can and to try to bring reconciliation between teachers and students in the community.

I do have another cutting which I beg Your Lordship's (10) leave to put to the witness.

COURT : No doubt you have another cutting.

MNR. JACOBS : Ek wil graag weet vir watter rede word dit aangebied. Die getuie het gesê hy het persverklarings gemaak oor wat sy "attitude" was. Word hierdie nou aangebied dat dit hom moet staaf? Dan maak ek ten sterkste beswaar teen die aanbieding van hierdie verklarings. Hierdie verklarings kan glad nie die getuie aanhelp nie, is my submissie en dit is ontoelaatbaar as getuienis op hierdie stadium.

MR TIP : The cuttings from time to time contain quotes (20) from the witness and they reflect with respect a very, very ... (Court intervenes)

COURT : Let us not take it very wide. At the moment you have a cutting and there is an objection to this particular cutting. What is the cutting intended to show?

MR TIP : Well, the cutting is intended to show what this witness said as a matter of public record at the time in relation to allegations against him which suggest that he was concerned to promote boycotts and impliedly to promote violence in the area. (30)

COURT/...

COURT : Was this a press release?

MR TIP : Yes, it was a press release.

COURT : By this witness?

MR TIP : By this witness and all I am concerned to do is to read onto the record one paragraph.

MNR. JACOBS : Mag ek net iets sê op hierdie aspek. Dit is my respekvolle submitisie dat as ek My Geleerde Vriend nou reg verstaan, dan word dit aangebied dat die getuie homself met persverklarings wat hy destyds gemaak het, sy eie getuienis staaf en dit is ... (Hof kom tussenbei) (10)

HOF : Wag so n bietjie, laat ons net duidelikheid kry. Ons het te doen met twee dinge. Die een is met die bedoeling van die getuie self en die ander een is met sy uitgesproke bedoeling en wat die bedoeling van die getuie self betref, kan daardie dokument hom hoegenaamd nie staaf nie. Wat sy uitgesproke bedoeling betref, gee daardie dokument vir ons sekerlik n beter beeld van wat hy destyds gesê het, as wat hy nou vir ons kan sê. In daardie opsig dink ek is dit relevant.

MR TIP : Would you have a look at this. It is a copy of (20) a copy from the Rand Daily Mail of 5 April 1984. I want you to look only at the last paragraph. Does that reflect a statement that you made to the press at the time? -- That is correct.

May I read that paragraph onto the record? I would not tender the cutting.

COURT : Yes.

MR TIP : "Meanwhile the Transvaal secretary of the United Democratic Front, Mr Moses Chikane, said in a statement yesterday his organisation had invited principals, teachers (30) and/...

and students to a meeting 'intended to create the spirit of co-operation and understanding.'" -- That is correct. That is what I said.

In the course of April 1984 do you recollect whether there were any groups in Atteridgeville and Saulsville speaking in terms of forceful against any other groups? -- That is correct. There were members of the school committees. I think even some parents that were talking in terms of forming vigilantes. At that particular stage the Department as I have already mentioned had given the community(10) some graze to try to resolve that problem peacefully before the considered closing schools. At that particular stage I think because of the pressure some parents were saying no, they would rather form vigilante committees and bid the students back to school. I think they were getting impatient with this negotiation process.

Did you respond to the situation at all through the public press? -- That is correct, I responded and I issued a statement to the papers, newspapers.

Do you recall what the essence was of your statement?(20) -- That is correct.

What was it? -- I said if any party, especially those involved in this committee which is trying to resolve this problem, is going to adopt the method of violence, UDF would have no option but to pull out of such talks.

May the witness have an exhibit already in DA7 placed him? That, for the sake of the record, is a document headed "UDF Press Release. The United Democratic Front's position on school situation" and at the foot of the page it records "By Moss Chikane." Is that a statement which you released?(30)

That/...

-- That is correct.

Would you also look at the numbers to the right of your name "078404." Are you able to decipher those with certainty?

-- That is correct.

What are those numbers? -- It is the date when this statement was made.

And what date would it be? -- It would be 7 April 1984.

My Lord, I believe that this was read onto the record earlier by Mr Chaskalson.

COURT : Yes, I think so, but if you want it again, you can(10)
read it again.

MR TIP : It may be convenient for the sake of reading the record. It reads as follows "We wish to place on record how the UDF got involved in Atteridgeville school situation. When the situation was worsening in the abovementioned situation the UDF got involved with the hope of bringing Atteridgeville people together to solve their problems. It has up to now not achieved much and its concern about some groups of people who are coming together to form vigilante groups. If any group involved in this Atteridgeville (20) situation is going to adopt violent methods, UDF will have no option but to pull out from negotiations. We want to appeal to all people of our Atteridgeville/Saulsville to refrain from forming any kind of such groups to try to fight students and other groups in Atteridgeville/Saulsville. We would like to make the UDF position clear. We want to see all students back to school as soon as possible. Allegations made by some people have got no foundation. We reject them with the contempt they deserve. Moss Chikane, secretary of UDF Transvaal, is calling a meeting of principals, (30)
students/...

students, teachers and parents together with federal school committee and all other concerned groups to a meeting on Wednesday 7 p.m. at Atteridgeville High School." There is just one aspect I would like you to clarify for His Lordship. The reference to a proposed meeting, was that a special meeting called by the UDF or would that have been one of the meetings in the sequence that was arranged by the peace committee? -- That was one of the sequence of those meetings that were arranged by the peace committee. From time to time it delegated responsibility to either one organisations, (10) so to say as representative to organise the meeting. I think it was the turn of the UDF to do so.

Did you from time to time make public your fears that the events of 1976 might recur? -- That is correct.

My Lord, perhaps on the same basis as before, I would like to tender a copy of a cutting to the witness purely for the purpose of identification. We will read the relevant portion ... (Court intervenes)

COURT : Did you make a press release? -- That is correct.

Did you tell that to the press? -- That is correct. (20)

MR TIP : Without putting it in. This is a cutting from the Sunday Express dated April 8, 1984 headed "Last year, schools boycotts hit Soweto. Last week it was Atteridgeville. Next week, they could blow up anywhere." I would like to direct your attention to the last four paragraphs. Would you read those, please? Just look at the last paragraph. Does that correctly set out a statement made by you? -- That is correct.

Perhaps I could read the last four paragraphs onto the record. The first paragraphs are necessary to set the context. "The "DET has threatened to close the schools (30)

unless/...

unless the pupils return. The students say they will go back to school when their suspended classmates are reinstated and will then continue negotiations for SRC's. The stalemate is trying the patience of the United Democratic Front, which has tried to act as peacemaker. 'But if we do not do something, it is the children who lose out', said Mr Moses Chikane, Transvaal secretary of the UDF. 'We are afraid it could lead to another Soweto.'" Is that what you said? -- That is correct.

WITNESS STANDS DOWN.

COURT ADJOURNS.

COURT RESUMES.

(10)

K968

MOSES MABOKELA CHIKANE, still under oath

FURTHER EXAMINATION BY MR TIP : Mr Chikane, we had got to the point of the meetings in April. I want to turn now with you to 16 April 1984. Do you recollect whether or not you attended any meeting in Saulsville? -- That is correct.

Where was that meeting held? -- The meeting was held at Saulsville Secondary School.

And were you in the company of any of your co-accused on that occasion? -- That is correct. I was in the company of my co-accused no. 19, Popo Molefe. (20)

Was this one of the series of meetings that you have described to His Lordship? -- That is correct.

At the conclusion of that meeting what took place? -- At the conclusion of the meeting, as we were moving out, the police blockaded the gates with their vehicles.

Were you arrested? -- We were arrested and taken to Atteridgeville police station.

Were you later released? -- That is correct. After we had explained the purpose of our being there at the school at that time they released us. (30)

Do/...

Do you recall who the people were that were taken into custody by the police? -- There were twelve of us, members of ASRO, members of school committees and I recall there was one teacher that was taken. Others were just left to go. There were twelve of us.

Were you ever charged in a court? -- We were not charged. After we had given an explanation of our purpose, we were left to go.

Just to complete the account of the meetings, the series of meetings, after this date, 16 April 1984, were (10) further meetings of the committee of parents, teachers and students held? -- That is correct.

For how much longer were they held? When did they come to an end? -- They came to an end after April - towards the end of April as teachers started not coming to this meeting, especially after we were arrested at the Saulsville Secondary School.

You say teachers were no longer going to the meetings. Why did that give rise to the meetings themselves being terminated? -- First of all we could not get a venue for (20) the meetings because we were depending on the teachers that were participating in the committee to give us a venue for the meeting. Secondly, even if we would have arranged - may be managed to arrange different venues, we were quite aware of the fact that we may be seen by teachers possibly or other people that we were taking sides, because it would mean that they would not even attend those meetings. We wanted to make sure that in every meeting that we called, every concerned group is represented.

I want to go back to the day of 16 April 1984. Very, (30)

very/...

very briefly, were you at the Dr Nkomo High School in the course of that day? -- That is correct.

What was the purpose of your visit there? -- The purpose is that we had received the information that the principal, Mr Moseneke, had suspended some students and we wanted to talk to him in order to lift those suspensions so that there should not be more conflict between him or his teachers and the students in that school.

COURT : The principal was who? -- Mr Moseneke.

And he had suspended some students? -- Some school (10) students.

And you wanted him to do what? -- To persuade him to accept them back, because those suspensions of students were giving rise to boycotts. Students would boycott in solidarity of the suspended students and then we felt that we should talk him into accepting them back, so that there should not be further problems.

Well, the moment they were back, there would again be trouble - they would be making trouble and be suspended again. How would that help discipline in the school? -- In these (20) meetings, because we were talking with students, parents, and teachers, we had hoped that everybody else would make it his commitment to make sure that the constituency that he is representing in this committee would abide by whatever decision that is taken by the committee. So, we believed that if the students were - the suspensions were lifted and the students explained to them exactly what the committee is all about, there would be no need for them to continue boycotting classes or creating problems there.

MR TIP : Were you successful on that first visit? -- No. (30)

With/...

With the first visit we were not successful. He was angry, because he said he had sent these students to go home and come back with their parents the following day and instead they organised a bigger group of youths and then they attacked him and the teachers in school and he was very upset about that.

ASSESSOR (MR KRUGEL) : This is not plain. You say that you were not successful to see Mr Moseneke? -- No, we did see him, but we were not successful in managing to get ... (Mr Krugel intervenes) (10)

And you give the reason why you were not successful in seeing him. You say that he said that he had sent the students home to bring their parents along, but they came back without them and with a bigger group of students? -- Yes, that is correct.

When did he say this to you? -- He told me there, when I was there. I was successful in seeing him. I was not successful in getting him to lift the suspension of the students.

MR TIP : I think I might have phrased my question a little (20) clumsily. What it was directed to was whether on the first occasion that you saw Mr Moseneke, whether you were successful in your efforts to persuade him to reinstate the students? -- No, this is what I am saying now that I was unsuccessful.

Did you make a subsequent effort along the same lines? -- That is correct.

Were any of your co-accused present on that occasion? -- That is correct.

Who? -- Mr Popo Molefe, accused no. 19.

COURT : And other people? -- Yes, we had parents and we (30) had/...

had Reverent Smangaliso Mkatshwa from the Catholic Bishop's Conference. We had some other teachers that were members of the committee.

MR TIP : Do you recall on what day that second visit took place? -- It was on a Friday. I think it was 16 April. If my memory serves me well.

COURT : This is the 16th we are speaking about. Did you come again on the same day? -- The days are a bit confusing.

You told us when the funeral was? -- Yes.

The funeral I think you said was the 18th? -- That (10) is February.

I am sorry, now I am mixed up. You told us when you attended the meeting and you were arrested, that was the 16th? -- That is correct.

Is that date correct? -- I went to see them on the morning. The meeting was in the evening and then I went I think the following day. It was the 17th I think. It should have been the 17th.

MR TIP : On the following day? -- On the following day.

What success did you have on that occasion? -- The (20) principal Mr Moseneke assured us that he would reinstate those students that were expelled.

A concluding aspect on the question of the school crisis. Did it come to your attention subsequently that there had been a statement from the Department concerning SRC's at schools? -- That is correct.

What was your understanding of that statement? -- My understanding of that statement was that the Department was accepting that students can have SRC's in schools. That is every school is going to have its own SRC. I was quite (30)

happy/...

happy about that. I issued a statement congratulating the Department.

You issued a statement where? -- To the press.

I want to give you a document headed "Press Release 84/05/11". Do you recognise that document? -- That is correct.

What is that? -- This is the statement that I issued to the newspapers.

COURT : Is this date 11 May 1984? -- That is the date.

I ask this question because some of your other dates (10) were not exactly in the same order as this one. -- That is correct.

MR TIP : Would Your Lordship receive that as EXHIBIT DA114. With Your Lordship's leave I would read it onto the record. "The UDF welcomes the announcement that the government allow democratically elected SCR in Pretoria. This move should permit better student/teacher relationship in future and help prevent the misunderstandings which led to myriads of students' unrest since the June 16th 1976 events. At the same time the UDF deplores the assaults by the police (20) on students on Thursday. It is quite clear now that the demand for an SRC by the students was quite legitimate, hence the concession by the government that SRC's may be formed."

COURT : But this was a different SRC than the original SRC, was it not? -- It was not.

I thought the original SRC was one intended to cover a number of schools in an area? -- No, that was not the case. I understood it that every school had its own SRC.

MR TIP : I want to look with you at a minute of a General (30)

Council/...

Council meeting on 14 April 1984, EXHIBIT P1, page 3. There is an entry there which I would read out and then ask you to clarify for His Lordship. "Explanation was given about the UDF individuals merits in the Pretoria school boycott by M. Chikane. It was apparent that this intervention created serious problems. After serious discussion on this, it was resolved that local organisations should discuss this issue among themselves, rather than debate this in the UDF General Council meeting. It was stressed that UDF should respect other organisations and their role.(10) To avoid further confusion UDF personalities should identify themselves and make it clear on whose behalf they speak. This is necessary so as to avoid confusion about the role of the UDF. Commission to be established to investigate this issue. M. Chikane, F. Chikane and appointed COSAS member would be the co-ordinators of this commission." Can you clarify what was involved in this minute? -- At this particular juncture the COSAS representatives in the UDF general council were concerned with the fact that the UDF was involved in the Atteridgeville negotiations and they (20) felt that UDF did that without seeking mandates from COSAS, that is COSAS region and when that issue was explained and I explained that, in fact COSAS local branch was quite happy about our intervention, the problem was solved. They were not opposed to us being involved, but they were just worried that if we do without discussions with them, it would create problems, because students would start identifying more with the UDF than with COSAS as the student organisation.

ASSESSOR (MR KRUGEL) : Which region? -- We have got (30)

COSAS /...

COSAS Transvaal region, that is the office. Then you have ...

(Mr Krugel intervenes)

These were the people that were concerned? -- Yes, these were the people who were concerned.

But you had your talks with COSAS locally? -- I was involved there in Atteridgeville trying to resolve the problem, but they had not been informed by COSAS region that I was involved there and they were affiliates of the UDF.

MR TIP : Just to clarify that last point. Was the local branch of COSAS in Saulsville/Atteridgeville affiliated?(10)
-- That is correct.

Did the members of that branch attend general council meetings of the UDF? -- They did attend some general council meetings of the UDF as reflected by the minutes from time to time, especially the register.

I want to turn with you now to the relationship between the United Democratic Front and AZAPO as far as it falls within your knowledge.

COURT : Before we get to this. We are still on the education issue. You have told us about the problems there(20) were in Atteridgeville and Saulsville? -- That is correct.

At this time was Mamelodi where you live quiet or were there also problems? -- At that particular time it was quiet as far as I am concerned.

That is 1983/84. -- 1983 especially. In 1984 I think until about August, if my memory serves me well, but I must say I may not know about the boycott, isolated boycotts in one school for one reason or the other. I am talking about boycotts in the massive way that it was in Atteridgeville.

So, you say till August 1984 Mamelodi was quiet? -- (30)

As/...

As far as I am concerned that was the case.

And after August 1984? -- There were boycotts in Mamelodi. as well.

MR TIP : The UDF and AZAPO relationship, what has your understanding been of that relationship from the time of the formation of the UDF in the Transvaal? -- The relationship has always been strained, especially after the national forum was launched. There were press statements that were made by AZAPO people who were subscribers of the national forum to the effect that UDF was an unprincipled alliance (10) of an unprincipled organisation.

What was the attitude in the UDF to the idea that AZAPO might be an affiliate of it, might become an affiliate? -- In fact the UDF was concerned, we were trying to persuade every organisation, including AZAPO to affiliate to the UDF because we felt that it should only strengthen the voice of opposition to the proposed new constitution. We had this problem that I have already mentioned.

In that regard I would like to refer you to the minutes of the general council meeting of 15 October 1983 which (20) appear in EXHIBIT L1. Item 4.2.2 records the following "A letter has been written to AZAPO requesting a follow up meeting." Two questions, do you know what this follow up entry reflects? -- As far as I recall there was a meeting that was convened by Dr Manas Buthelezi together with Bishop Tutu to try to resolve the problem that existed, especially the press war, so to call it, between AZAPO and the UDF. The meeting was held in Soweto. I did not attend. So, this was a follow up to this meeting.

COURT : To resolve what? Price war? -- Press war. UDF (30) affiliates/...

affiliates started issuing statements attacking AZAPO as well.

MR TIP : Do you know whether the letter written - whether a letter was in fact written to AZAPO? -- That is correct.

And did a meeting result? -- That is correct. There was a meeting that was held on 11 November 1983.

Were you present at that meeting? -- That is correct.

Who else was present on behalf of the UDF? -- It was myself, Mr Cassim Saloojee and Mr Eric Molobe.

And did you meet with members of AZAPO? -- That is (10) correct.

Do you recall the names of the persons from AZAPO who met with you? -- As far as I can recall it was Sadecque Variawa. A certain person called Phambile Ntlokoa. There was another person called Haroon Patel.

What was your understanding of the status of the AZAPO persons within that organisation? -- At that particular stage I did not really get to understand which people were officials fo AZAPO.

COURT : You did not think that they were officials? -- (20) Yes, they have never appeared anywhere else as representatives of AZAPO. So, I think they were not.

And were you right or wrong? -- I think except Haroon - I got to know that Haroon was a chair person of the Lenasia branch. He was not a senior officer of AZAPO.

MR TIP : Where did this meeting take place? -- The meeting took place in the AZAPO offices.

Do you know whether senior members of AZAPO were in the vicinity? -- That is correct. We could hear voices of persons like Saths Cooper and Muntu Myeza in the adjacent room. (30)

What/...

What was your feeling about the status of the people who had been assigned to discuss matters with you? -- I was very dissatisfied about that, because I felt that this issue of what I call press war had to be resolved at a senior level and I felt that they should have involved much more senior people from their organisation, because in our delegation for instance we had the national treasurer and myself of course, I was the local secretary. Eric Molobe was Transvaal treasurer as well.

Would you relate to His Lordship briefly the nature(10) of the discussion that took place? -- The atmosphere was very unsettling. The AZAPO delegates starting by launching an attack on us. They attacked the UDF before we even started talks, saying that we are busy organising the daughters and sons of the bosses(?) instead of organising the Black people. It was making us to feel very uncomfortable. They went further to say , talking amongst themselves that in fact the idea to form the United Democratic Front was taken in lower Houghton. So that was the kind of spirit that existed at that meeting. (20)

Did you discuss the question of affiliation at all?
-- That is correct.

And what was the response of the AZAPO members? -- Their response was that they are prepared to work with us inasfar as we do not - inasfar as whatever they do does not compromise their policy and principle of their organisation, that is AZAPO.

And what was your understanding? What did that mean?
-- My understanding was that the question of Whites' involvement in an organisation as far as AZAPO is concerned is (30)

a/...

a principle position. So, it will mean that they will never work with us on anything. Again it was a policy - it was their policy that they would not work with anybody else who would include Whites as members.

I want to go to another minute with you and that is M2. Did you report on your AZAPO visit to the office at a general council meeting? -- That is correct. I reported on the general council meeting that was to be held the following day after this meeting.

Does that report appear in EXHIBIT M2 which is the (10) minutes of the General Council Meeting of 12 November 1983?

-- That is correct.

As point 6.9? -- That is correct.

"A UDF delegation met AZAPO on 11 November 1983. AZAPO will not affiliate to the UDF. They will, however, co-operate with the UDF on issues which do not compromise their principles or policy." Was there any discussion following this report and was a consensus reached about whether or not there should be further attempts to meet with AZAPO? -- As far as I was concerned, the general council resolved that (20) there should be no further meetings with AZAPO.

In March 1984 did the UDF receive a letter of invitation from AZAPO to a Sharpeville commemoration meeting to be held on 21 March? -- That is correct.

And was that letter discussed? -- That is correct. The letter was discussed in April, because it was received during the period when the RGC, that is the Regional General Council was not meeting. So, it was took to the General Council of April and the General Council resolved that we should not honour the invitation issued by AZAPO. (30)

COURT/...

COURT : Was it not too late already? -- No, we did not honour it. We felt that we should not honour it, because of the position that we agreed upon on the meeting of 12 November.

MR TIP : Perhaps I could just ask you this. Before it reached the general council, do you recall whether it was discussed at a meeting of the national secretariate in your presence? -- That is correct. It was.

And I would like to refer you to EXHIBIT T5 the minutes of the national secretariate meeting held on 10 and 11 March 1984. -- That is correct. (10)

On page 3 of that minute. At the foot of that page the following entry appears "AZAPO. (1) Transvaal motivated against invitation. (2) Matter referred back to the regional executive committee." Do you recall who it was that motivated against the invitation? -- I motivated against it.

And why did you do so? -- Because of the treatment we got when we - on 11 November - attempted to get AZAPO to affiliate to the UDF.

You have referred to the consideration given by the general council to this question and for completeness of (20) record I would like to refer you to EXHIBIT P1 which is the minutes of a general council meeting held on 14 April 1984 beginning at the foot of page 1, the following appears "AZAPO's letter of invitation was not acceptable by the general council. The meeting agreed to participate with AZAPO for tactical reasons. It was further agreed that organisations must take initiatives in organising for national days." First of all you have indicated to His Lordship that the letter of invitation is the one that in fact related to a date already passed. Could you explain what is meant by the (30) entry/...

entry that the meeting agreed to participate with AZAPO for tactical reasons? -- That is how our council felt that we should take initiative so that whenever we relate or work with AZAPO in anything, it must be able to benefit us, the UDF. We must not get involved in issues that have been organised or originated from AZAPO. In that case we would not be able to gain out of this kind of relationship with that organisation. That is the reason why the second sentence says the general council felt that organisations affiliated to UDF must take initiatives to organise for national (10) days, because this invitation from AZAPO was concerning celebration of the commemoration service of March.

That is several shootings.

That completes the reference to that minute. To your knowledge was there at any time any working co-operation between the UDF and AZAPO? -- No.

Was there any agreement that there should be such working co-operation? -- No.

What do you say to the allegation that there was such an agreement made at high level that the organisations (20) should work together to further their interests, particularly in relation to campaigns against the new constitution and the Black Local Authorities? -- I reject that.

Does that apply also to any allegation concerning such agreement relating to the Vaal Triangle? -- That is correct.

I want to ask you now about matters dealt with in the evidence of Warrant Officer Du Toit and Captain Loots. Do you recall that they testified that you had held an interview with them in the offices of COMPOL Building in Pretoria(30)

in/...

in approximately September 1983? Do you recall that evidence?

-- I recall that evidence.

And do you recall the evidence that in the course of that you told them that you are an organiser of the UDF in Pretoria and that you were to persuade students to continue the boycott of classes until the students' demands were met. Do you recall that? -- I recall that.

What do you say about that evidence? -- I reject it. I was never detained or called in in 1983 or at any time to discuss the question of school boycotts in that period. (10)

Were you ever an organiser of the UDF? -- I was never an organiser of the UDF.

Did you ever say anything to that effect to anyone at all? -- I have never said anything to that effect to anyone.

Or that you were to persuade students to continue boycotts? Did you ever say anything to that effect to anyone? -- No, that is false.

Had you ever encountered Warrant Officer Du Toit? -- Yes, Warrant Officer Du Toit was one of the people who from time to time came to conduct a house searched where (20) I lived in Mamelodi. The only other time that I came in contact with him was when I was detained in August, the 26th 1984 and I was in transit to Johannesburg, John Vorster Square, before I was taken to Protea police station.

When you say you met him whilst you were in transit, where did you meet him then? -- I was taken from my house and brought to COMPOL Building and then from there transported to COMPOL Building - transported from COMPOL Building to John Vorster Square in Johannesburg.

ASSESSOR (MR KRUGEL) : When was that? -- 26 August 1984. (30)

MR TIP/...

MR TIP : When you were detained in relation to this matter in April 1985 ... -- Yes, that was the second time. I was again brought to COMPOL before I was taken to Johannesburg.

What was his attitude to you?

COURT : When?

MR TIP : On these occasions?

COURT : Which one? There were house searches and there were meetings at COMPOL.

MR TIP : On the occasion of the house searches. Did you find them to be polite? -- He was very abusive. He used(10) to use terms like "Kaffers".

There has been evidence from Captain Loots that you were present at a meeting of the Mamelodi Youth Organisation held in the YMCA Hall where the constitution of that organisation was discussed? -- I deny that. I have never attended any meeting of the Mamelodi Youth Organisation at that particular time. In fact not at any other stage.

On 16 June 1983 and 16 June 1984 did you attend meetings? -- That is correct. I attended commemoration meetings in Mamelodi. (20)

Commemoration meetings of which? -- Of the June, 16 upheavals.

Who organised the meetings that you attended? -- The meetings were organised by priests in Mamelodi.

Have you ever attended any 16 June commemoration meetings in Atteridgeville? -- No.

On 17 June 1984 did you attend any meeting? -- That is correct. I attended a meeting at Mokgethwa in Atteridgeville.

COURT : Where was the meeting? -- In a cinema in Atteridgeville called Mokgethwa. (30)

MR TIP/...

MR TIP : What was that meeting about? -- The meeting was organised by the Christian youth groups around Atteridgeville together with local organisations, youth organisations.

Do you know anything about a body called the Mamelodi Parents Association? -- That is correct.

Were you involved in any way with that association? -- No, I was not involved in that association, but I attended a meeting organised by this association, in fact the inaugural meeting. I think it was on 19 January 1985.

Were any of your co-accused present with you on that(10) occasion? -- That is correct. Accused no. 19 and accused no. 20, that is Mr Popo Molefe and Mr Patrick Terror Lekota.

And from your recollection of what was said at that inaugural meeting, what was the principal purpose of the Mamelodi Parents Association? -- The purpose was to try to bring calm in the location. As far as I can recall the boycotts started around August. So, they were trying to get students back to school and to try to find solutions to the problems that have created the boycotts in Mamelodi.

Have you at any time attended any meetings of COSAS (20) committee meetings? -- No, I never attended any committee meeting organised by COSAS.

Or public meetings? -- No.

I would like you to look now at the bundle of exhibits series AAB and I want you to look at AAB1 page 2. It is admitted that this document was found in your possession and also that it is in your handwriting. Is that correct? -- That is correct.

I want to ask you this. Do you recall, there is a page beginning with the entry "Discipline and problem solving."(30)

Are/...

Are you able to recollect on what occasion did you make the notes that appear on page 2? -- That is correct.

What was the occasion? -- It was a meeting of youth in NG Kerk in Mamelodi which was organised for the purpose of distribution of The Eye newsletter.

Approximately when was this occasion? -- If my memory serves me well, it was around June.

Of? -- June 1984.

Do you recall how many youths were present there? -- There were about forty or fifty of them. (10)

For what purposes or under what circumstances did you make the notes on page 2? -- I was told that initially before this very date, the youth groups that were distributing these letters were harrassed by the police. Some of them were beaten up. That is the report I got.

Did you play any role at this meeting of the youth? -- No, I happened to visit the priest who was in charge of this church at that particular stage and I was called impromptu to come in and talk to them.

And what did you talk to them about? -- I talked to (20) them about topics that are high-lighted here like discipline, organisational skills, leadership skills, the history of UDF and discipline.

I would like you to explain to His Lordship as far as you can recollect what you said under the topic, halfway down the page under the topic "Discipline"? What did you say in that regard? -- I actually meant that once we work as an organised group, you have to behave to the interest of the organised group. There is no way that you can continue things as an individual, because whatever you do, is going (30)

to/...

to reflect on those you are working with. Comradeship is that whatever you do, you must know that it reflects on all of us. So, it must be to the benefit and to the interest of everybody else who is involved in that particular group.

Under the topic number 2 "Sell-out or enemies of the people", what did you say about that? -- At that particular stage I talked about the fact that other people - people who were working towards organisations and then they went around informing on their comrades for money. Then I said that is unacceptable. It is not going to be acceptable even in (10) future because I believed that what we do now is going to reflect on what we are likely to do in the future.

There is an entry there number 3 "Our future is in our hands, corruption, terrorism can never be tolerated." -- That is correct.

What did you say about that? -- On this particular point I explained exactly the purpose of being members of organisations, what that purpose is, that in these particular times as young people and members of organisations, we are already moulding ourselves to be particular people who can play a (20) role in society and it is important that we must see our role at this particular stage as the formation of what we will be in future. So, we are already curving ourselves for the roles that we can play in society. So, we were deciding our future, so to say. Then I went further to explain because of problems that I have already picked up from people who had been doing distribution, not only the previous days when they were harrassed, even in future, even in the far past. Some of them for instance did not bring the money and so on. So, I had to address that kind of thing that corruption can (30) never/...

never be tolerated for those kind of structures. Then I went on to address this question of terrorism, because I had heard that some of them were planning to retaliate against the action of the police. So, I said the acts of those particular policemen were certainly for a reason. If they went around hitting people who were just distributing newsletters without any proper reasons, because if they had any reason possibly they would have arrested them. Secondly, I said retaliation would more or less fall in the same category, it would be terrorism because now - and that can never (10) be tolerated by us.

There is an item 4 "Peace officers and justice" and under it the following appear "Police are not our enemy, but people who have to execute the law. They are people who have to maintain order and ours is to see to it that there is only one order." Are you able to clarify that for His Lordship? -- That is correct. Because of the kind of report I got I took it upon myself to try and explain the role of the police force as I saw it. Then I explained more or less in this particular manner that is high- (20) lighted here.

COURT : When were these notes taken from you? -- I cannot remember the precise date. Different notes were taken at my place at different times. I cannot remember.

MR TIP : I want to deal now with certain aspects relating to the functioning of the Transvaal office of the UDF. Are you able to indicate to His Lordship what the level of efficiency was in the Transvaal office? The level of efficiency in relation to the administration and the execution of projects through the office? (30)

COURT/...

COURT : Is there a scale?

MR TIP : Perhaps the witness could give an indication whether - was the office functioning efficiently during the period that you were in it? -- No, it was not functioning properly, not efficiently recently.

Before I refer you to any of the exhibits, could you indicate to His Lordship what the difficulties were with the Transvaal office? -- The first difficulty is I think we did not have competent people who were manning the office. The second problem is that it was so small and we only (10) had one filing cabinet in which we had to keep the records. As a result some of the records were - and documents, were left in boxes in the office. I have already mentioned the fact that we did not have capable people who were manning that office.

Was the bookkeeping done properly and kept up to date? -- No, it was not.

What was the level of communication between the individuals working in the office? -- It was very poor.

Are you able to comment on ... (Court intervenes) (20)

COURT : Do you mean did they fight or squabble against each other or did they not see each other in the office, the one being out, the other being in? What do you mean by that? -- There was no planning of a program. We could not plan the program together. As a result we could not even get the office arranged in the manner that it would be able to be understood by everybody else who was working in the office. Those were more or less the major problems.

MR TIP : And as far as communication between the Transvaal office and the affiliates to the Transvaal region is (30)

concerned/...

concerned, was that good? -- No, it was not good. We more or less relied on what we were told by affiliates. At times they would phone to give us reports and so on or would phone to enquire about whatever matter that was concerning the UDF.

I would like you now please to look at EXHIBIT G2 on page 2 of that exhibit. I would just like to identify it. It is headed "UDF officer's report to the NEC June 1, 1984."

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

MR TIP : It was found in the UDF office Cape Town. Were(10) you present at the NEC held on June 1, 1984? -- That is correct.

And in fact that appears from EXHIBIT G2? -- That is correct.

On page 2 of EXHIBIT G2 item 3 towards the foot of the page I would like to read each one of that out and ask you to comment on whether you consider it accurate. "3.1 Minimal co-ordination between affiliates and REC and among affiliates themselves. All this is reflected by performance in the MSC." -- That is correct. (20)

What is your view of the performance of the Transvaal UDF in relation to the million signature campaign? -- Initially when the campaign was embarked upon by the UDF and ultimately approved by the Transvaal General Council we thought that organisations that were affiliated to the UDF would work together to correct signatures from time to time. This was not the case in the Transvaal. That is affiliates of the Transvaal were supposed to conduct places from time to time.

Item 3.2 reads "Administration of this region is (30)

very/...

very disturbing." -- That is correct.

Item 3.3 "Some measure of contact with rural areas particularly Northern and Eastern Transvaal has been made."
-- That is correct.

And as we will detail shortly to His Lordship, you were particularly concerned with the Northern Transvaal. Is that correct? -- That is correct.

"3.4 Lapses of contact between areas are observable" and then there is a portion which has been struck out, but I will read it "and at times racial overtones are detecta- (10) ble." -- That is correct.

What areas were concerned here? Are you able to clarify that? -- That is correct.

COURT : It may well be that in the original that phrase was deleted because the phrase was not liked by the NEC?

MR TIP : Perhaps the witness could explain that. I was going to come to that. I wanted to ask you firstly, what areas, the first portion of that paragraph says "Lapses of contact between areas are observable", were referred to there? -- Areas of co-operation in terms of work. For instance, (20) I have already high-lighted the million signature campaign. We had different committees here, like the Media Committee and so on, such committees that were in existence within the UDF, would discover that there was no contact, proper contact so to say.

Are you able to throw any light on the reference to racial overtones? -- In fact I objected to the officer's phrasing of this particular sentence, because whereas I accepted that there was no working relationship between organisations in the Transvaal, I felt that it was not (30) something/...

something that was created by racialism as such, but it was just something that has been created by the fact that most of the organisations that were affiliates of the Transvaal had no experience of working with the Front. I therefore requested the NEC, that is the National Executive Committee to delete the last portion of this sentence.

"3.5 Relations with union periodically good and largely due to lack of participation by our affiliates often poor."

-- That is correct.

Did that properly represent the position in the Transvaal(10 in that regard? -- That is correct.

COURT : That refers to trade unions? -- Trade unions.

MR TIP : And is it correct that these criticisms were tabled at the meeting of the NEC on that occasion? -- That is correct.

Despite the criticism implied, in your experience and until your departure from office as part time secretary in March 1985, was there a significant improvement made in this regard? -- On 5 July we employed an administrative secretary. Mr Pat Lephunya was employed for that particular post, (20) but again he was not trained to handle that type of a job. So, he had to undergo some training with SACHED and by the time I left the office there was no significant improvement.

COURT : Was he trained? -- He was busy training.

MR TIP : During the period from August 1984 onwards ...

(Mr Krugel intervenes)

ASSESSOR (MR KRUGEL) : The training that Mr Lephunya received was with SACHED? -- SACHED.

What does it stand for? -- That is South African - no, I cannot remember now. Something Higher Education. (30)

MR TIP/...

MR TIP : Perhaps I can assist. -- College for Higher Education.

That is correct.

COURT : Did you send him to college there? -- We sent him to these people. Amongst other things he needed a certificate he said.

For a crash course, I take it? -- That is correct. Something that he will be able to use even after leaving the UDF.

MR TIP : Still on the same subject. It is common cause that you were in detention from 26 August 1984 to 26 September 1984. Is that correct? -- That is correct.

COURT : For one month? -- That is correct.

MR TIP : Were you the only person from the UDF in the Transvaal who was in detention roundabout that period? -- No, there was Aubrey Mokoena and Mr Curtis Nkondo, Dr Ram Saloojee. Those are the names that I can remember as I stand here.

Did those detentions affect the functioning of the Transvaal office? -- That is correct.

In what way? -- The office could not function properly. (20) The Transvaal executive committees because of lack of these people could not take proper decisions and there were communication problems even between organisations. The office was just not working.

I want to turn briefly to the question of the relationship between the Transvaal office and the national office. We have already had evidence about this and I would like to refer you to EXHIBIT G1 on page 5 of that document. It is the minutes of the UDF NEC meeting held on 1 and 2 June 1984? -- That is correct. (30)

You/...

You will see on page 5 items 14.2.3, 14.2.4 and 14.2.5 deal with matters that you have already mentioned, the use of the telephone is mentioned? -- That is correct.

You will see reference there to rental having to be paid henceforth by the Transvaal themselves? -- That is correct.

A reference to the payment of debts? -- That is correct.

And in 14.2.5 that the Transvaal was to return all the keys to the national office? -- That is correct.

Very summarily, what was your understanding of the (10) relationship between the national and the Transvaal office at that time? -- At this particular stage it was real strained.

The relationship between the UDF and the organisations in the Vaal Triangle, is the next matter I want to ask you about. Have you personally at any time been party to any discussions or arrangements concerning of any organisations in the Vaal Triangle? -- No.

Have you at any time delivered speeches in the Vaal Triangle? -- No, I have not delivered speeches in the Vaal (20) Triangle.

During the period of June 1983, July 1983 and up to the date of your detention - I am sorry 1984, June 1984, July 1984 up to your detention on 26 August 1984, to your knowledge was there any discussion in the UDF offices or at any UDF meetings of a pending rent increase in the Vaal Triangle? -- No, there was never such a discussion.

Was there any liaison to your knowledge between the UDF and any bodies in the Vaal Triangle concerning the subject of what should be done about this pending rent (30) increase/...

increase? -- No, not to my knowledge. We never had any discussion of that nature.

As at the date of your detention on 26 August 1984 had you ever personally set foot in the Vaal Triangle? -- No, I had not.

Have you ever been to the Vaal Triangle? -- That is correct.

When did you go? -- I went to the Vaal Triangle after I was released under Section 28. I think it should have been the beginning of October. (10)

1984? -- 1984.

What was the purpose of your visit on that occasion? -- I was sent there by the REC. That is the Regional Executive Committee to try to speak to affiliates, members of the affiliated organisations, so that we can get a report from them of what is happening around there.

Was it a successful visit? -- No. It was not successful. I went to Mr McCamel's house and I was told that he was out, he has gone to town or taken his wife to work, something like that. Then I could not find Mr Mokoena's (20) place. I did not know it.

Are you referring to Mr Mokoena, accused no. 6? -- Accused no.6.

To your knowledge did the Vaal branch of COSAS ever become an affiliate of the UDF in the Transvaal? -- It was not an affiliate.

Do you recall ever encountering members of that branch at general council or other UDF meetings? -- No, I have never seen anyone of them at any meetings of the UDF, especially General Council or REC. (30)

As/...

As far as you know, as at the time of March 1985 when you left the executive, had an area committee of the UDF ever been formed in the Vaal Triangle? -- No, there was no area committee at that time in the Vaal.

You mentioned earlier the Northern Transvaal and I would like to turn to that subject now and your involvement with the Northern Transvaal. When in your capacity as UDF secretary did you first become involved with that reason? -- I think it was in or about May 1984 that I got involved with the Northern Transvaal. At the time I was secretary. (10)

Did you attend a function at that time? -- That is correct. I did attend a meeting organised by representatives of organisations that were interested in the UDF. Some of them were already affiliates.

Did this take the form of some workshop? -- That is correct.

And did you take part in the proceedings? -- That is correct.

Very briefly, what did you do?

COURT : Where was it held? -- It was held I think in a church, Lutheran church or something. (20)

Where? -- In Northern Transvaal. I think it was just east of North Turfloop. It is a church centre there. It is not very far. It could be about 2 or 3 k's. In fact I think the date was 3 February, not May.

3 February of? -- 1984.

MR TIP : Did you give a talk about the UDF on that occasion? -- That is correct.

And subsequently did you attend meetings of the committee that was organising that? -- That is correct. (30)

Did/...

Did you assist in motivating the NEC to allocate funds for the purpose of organisational work in the Northern Transvaal? -- That is correct.

It is reflected in the minutes, S7, minutes of the REC meeting of 14 June 1984. It is not necessary to look at them. That you and Mr Valli were to assist in preparing for a rally scheduled for 5 August 1984? -- That is correct.

Did you in fact perform that function? -- That is correct.

Were you present when the rally was held on that day?
-- That is correct. (10)

What were your duties on the occasion of that rally?
COURT : When was the rally held? -- The rally was held on 5 August 1984.

Where was it held? -- It was held in Seshego. I do not remember the name of the cinema. It was a cinema hall.

ASSESSOR (MR KRUGEL) : Where is Seshego? -- Seshego is a township I think about one or two k's from Pietersburg town to the north west.

MR TIP : What were your duties on the occasion of that rally? What did you do there? -- First I was given the (20) responsibility of seeing to it that the money that was allocated by the national office is used properly and it is well accounted for. So, the responsibility was - fell on the REC, that is the Regional Executive Committee of the Transvaal. So the Regional Executive committee of the Transvaal requested me to go down there to make sure that the money is used in the manner that we can be able to account to the national office.

Overall what was the idea behind the holding of this rally? -- The idea was that we will try to motivate (30)
organisations/...

organisations in rural areas to affiliate to the UDF and again to try to motivate them not to support the new constitution.

The next question that I want to deal with is the status of the UDF organisation in the Northern Transvaal. In the minutes of the REC of 4 October 1984 which is EXHIBIT S11 there is recorded that the Northern Transvaal was an area committee still to be formed. Do you know whether an area committee was subsequently formed? -- That is correct. After this rally, there was an area committee that was formed (10) by organisations in the Northern Transvaal.

COURT : When was the rally? --The rally was on 5 August 1984.

This minute is in October 1984? When was it formed? -- Immediately after the rally there was a committee that was formed. That was called the area committee.

MR TIP : What was the attitude of the people involved with the committee in the Northern Transvaal to being an area committee? -- People detested to be referred as an area committee because they felt the Northern Transvaal area (20) was big enough and had enough organisations that can form a region of their own and secondly, they said because they cannot participate in the general council of the UDF Transvaal which were held in Johannesburg, they wanted to form a region of their own independent of the Transvaal region.

COURT : Do you mean technically they could, but in fact they could not reach the general council. Is that the idea? As they were affiliated they could participate, because of the distance? -- Yes, because of the distance. They were expected to participate. (30)

MR TIP/...

MR TIP : In the minutes of the REC held on 22 November 1984, EXHIBIT S16 it is reported that you were going to visit the Northern Transvaal committee?-- That is correct.

COURT : Paragraph?

MR TIP : It is on the second page of that minute at the top under general. It reports "Moss planned to visit the people in Pietersburg over the weekend." Do you recall on the occasion of that visit what the point of discussion was between you and the members of the committee there? -- That is correct. (10)

What was it? -- At that particular time they urged me to try to impress upon the executive and the regional council to allow them to form a region out there in the Northern Transvaal.

Did you indicate to them what you thought the attitude of the Transvaal region would be to it? -- That is correct.

What did you indicate? -- I told them that technically there would not be any opposition, but the fact is, they had to satisfy the requirements that they have enough organisations that can form a region. Secondly that those organi-(20) sations that support that area committee be prepared to commit themselves to the declaration and working principle of the organisation.

After that, did you - were you present at a conference of the Northern Transvaal UDF held on 3 February 1985? -- That is correct.

At the Kranzenstein Lutheran Mission? -- That is correct.

Did you give a talk at that conference? -- That is correct.

Do you recall in essence what you spoke about? -- (30)

That/...

That is correct. I spoke about the history of the UDF and how it came about that it be formed and I told them that the call was made by Dr Allan Boesak in the Anti-SAIC meeting that was held on 23 January 1983. That is when the call for the formation of the UDF was made.

K969

I would like to refer you to EXHIBIT ABA17. I might indicate that ABA18 is a typed version of the report, but it has been copied badly and the first portion of the left-hand margin is illegible. That is why I am referring to the handwritten one. Did you see a report of that (10) nature? -- No, I did not see this report.

Would you look at page 1. There is towards the foot of it under the heading "History of the UDF" a portion beginning with a reference to yourself "Comrade Moss Chikane." -- That is correct.

Would you read what follows there to yourself and tell His Lordship whether that correctly reflects what you said on that occasion? -- That is correct.

Did you at that conference or at any other workshop or any meeting of the committee of the people concerned (20) with the UDF in the Northern Transvaal suggest that it was a concern of the UDF to mobilise the masses of this country for the purpose of participation in violent revolution or ungovernability or the like? -- No, I have never said anything to that effect. Not only in this meeting, but in any other meeting that I ever addressed on this question of the formation of the UDF.

Still on EXHIBIT ABA17 I would like to refer you to a portion on page 4 the last bit headed "Conclusion. It was felt that the meeting should not take any decision on the (30) kind/...

kind of a structure which will be much effective in the Northern Transvaal. This was agreed upon in order to give comrades time to discuss the type of structure we need to form in our area." Were you present until the end of this conference? -- That is correct.

And does this correctly reflect the conclusion reached at that conference? -- That is correct.

COURT : Where did this document originate? How did it come before Court?

MR TIP : It was tendered by a witness. I do not recall(10) by whom. One of the police officers of Pietersburg.

Is it correct then that as at February 1985 there had been no decision that a region should be formed for the Northern Transvaal? -- Up to the time that I left the office of the Transvaal the decision had been taken to that effect.

After the date of this conference, 3 February 1985, did you again have occasion to visit the Northern Transvaal? -- That is correct. I visited the Northern Transvaal on 8 March 1985.

What was the purpose of that visit? -- I had been (20) informed that in fact some of the people were concerned that Transvaal was going on with the AGM, that is Annual General Council Meeting without making it clear exactly what do they say about the proposal that has come from the Northern Transvaal, of them forming a separate region. The other thing that I was asked by the REC was to try to provide transport for the people, members, delegates from that area to this annual meeting of the general councils of the region.

I want to refer you finally in regard to the Northern Transvaal to document C132 volume 8. That is a document (30) headed/...

headed "Northern Transvaal program of action" with an annexure entitled "Memorandum on the changing political complexion of the Northern Transvaal region." Did you at any time see this document before your arrest? -- I did not see this document before I was arrested.

COURT : What was admitted in respect of this document?

MR TIP : If my recollection is right it was found in a vehicle in the Northern Transvaal.

COURT : Was that the exact admission?

MR TIP : I think it was confirmed in evidence, oral evidence. The admission is that it was found in motor vehicle CZP 649 T. That was subsequently confirmed in oral evidence by a police officer. I do not recall his name. I want to deal now with the question of the stay-away of 5 and 6 November 1984 and to ask what you know about this. Do you know what role the UDF played in relation to that stay-away? -- Yes. The UDF played a supportive role in that stay-away but the stay-away was organised by organisations that were - some of them were affiliates of the UDF, some of them non-affiliates independent of UDF. (20)

To your knowledge, did the initiative for the calling of the stay-away come from the UDF?-- No, the initiative for the stay-away came from the Congress of South African Students.

Were you present at any meeting at which the calling of a stay-away during that period was discussed? -- No, I was not present.

I would like to refer you to EXHIBIT J9. These are handwritten notes apparently taken at the NEC meeting of 10 and 11 November 1984. (30)

COURT/...

COURT : What was admitted here?

MR TIP : Found in the UDF's offices Johannesburg. I want to refer you to page 1(a). You will see there under the heading of reports approximately one-third of the way down the page and then follows "Transvaal" and after that the second line reads as follows "Stay-away conformed - UDF not present."

-- That is correct.

And does that accord with your recollection of what was reported at that NEC meeting? -- That is correct.

COURT : Whose notes are these? -- I do not know exactly(10) who wrote those notes.

Have you an idea? -- It may be one of the secretaries, regional secretaries who was present at that meeting, if not the acting general secretary.

MR TIP : You mentioned that the UDF played a supportive role. What sort of support did it provide? -- We asked the lawyers to be on standby when people were distributing the pamphlets calling for a stay-away.

COURT : Who paid the lawyers? -- We appealed to members of the affiliated organisations who happened to be lawyers (20) by profession to be on standby. At that particular stage they did not expect us to pay them. They knew that if they are involved in a particular - for instance to act for someone who was arrested, then possibly if the family cannot pay possibly they will request UDF's help and then we can see what we can do in that case.

MR TIP : I would like to refer you next to EXHIBIT C44.

Is it correct that this also is a document containing notes in your own handwriting and found in your possession? -- That is correct.

(30)

I/...

I would like you to turn to page 14(a). The entry there in the third last line "Get somebody who attended the stay-away committee." -- That is correct.

Can you clarify to His Lordship what that relates to and why you made that note? -- I made this note I think after I was contacted by the Industrial Aid Society that wanted to know - people who were involved in the stay-away committee and they were saying in future when there is this kind of a call, like a stay-away, the Industrial Aid Society requests that organisations involved must inform them (10) and secondly they were saying they would want to know what assistance people who were involved in the stay away require at that particular time. So, then I made this note and requested the administrative secretary to try to put them, that is these people of the Industrial Aid Society in contact with people who were involved in the stay-away.

COURT : What is the Industrial Aid Society? -- As I understand it is a service organisation.

Doing what? -- That deals with labour issues. I am not quite sure. I cannot give much more information - more than (20) that.

MR TIP : Whilst we have the document before us C44 on a different subject, would you please turn back to page 4.

COURT : While these are your notes, when were these notes made? -- It should have been either in October or immediately thereafter.

October of what year? -- 1984.

This I take it is a book, a booklet or something that was taken from you. It looks like that or minutes, or what is this? -- I think the date would be November. It is just (30) one/...

one of these pads that a person makes notes on.

Just a pad? -- Just a pad.

And its date is November? -- Yes.

All the notes were made in November? -- Yes, as far as I can recall.

Well, I take it not the first note, because that deals with churches will start ringing bells from 24 October. -- Not all the notes I am sure were made in November. It is just a pad that one carries around and makes notes whenever it is necessary. (10)

MR TIP : At page 4 there is a heading "United Democratic Front" and a number of notes follow. Are you able to identify what these notes were made for? -- As far as I can remember this relates to the meeting of organisations around Pretoria.

What was to be done with the notes? Were they typed or notes for a speech? -- It was what one might call an impromptu speech from time to time.. You have to explain to new people that comes in the organisation.

I just want to ask you about one aspect of these (20) notes and that is at pages 9 and 10. On page 9 you will see the sub-heading towards the foot of that page, the following appears "Our mothers can be educated to take their rightful place by organising themselves, educating us on health and sustaining the moral of our communities, which will be of utmost importance whilst fighting for a just an true democratic South Africa." On page 10 "It is a wellknown fact that the enemy of democracy world over corrupt the communities in order to maintain strong hand over it. The youth is being abused mentally and physically. Alcohol (30)

is/...

is one of the major problems in the exploited communities world over. We have to find a way to change these destructive habits." What were you concerned about? -- I was talking to a meeting of organisations around Pretoria and I was concerned about the state of affairs at that time because we had boycotts of schools. My problem was that normally during these periods of boycotts you will find that the moral of the community just collapse as well. Most of these youngsters end up in shabeens and I was appealing to the parents that even through this period especially (10) mothers have got a responsibility to try to make sure that the moral of the community does not collapse and the youths do not get into these habits of drinking and so on.

There are just some remaining items. One is the appointment to the NEC of Professor Mohammed. Do you know why Professor Mohammed was appointed to the NEC? -- That is correct. Professor Mohammed was appointed after a lot of reps, representatives of the regions were detained and others were charged in the Pietermaritzburg trial.

Was his a permanent employment? -- No, it was a temporary employment. (20)

Will you have a look at EXHIBIT S3. Those are the minutes of the REC of the UDF and they are recorded as being of a meeting held on 3 January 1984? -- That is correct.

You will see for instance on page 2 item 6.2 reference to dates about a workshop in January 1985, the AGM in March 1985. You will see dated of 1984 as reflected at the top of S3. -- That is incorrect. I think the year was 1985.

The next one is EXHIBIT S4, minutes of the REC meeting held on 5 - it is recorded as January 1984. Do you (30)

recall/...

recall whether that is correct? -- No, that is incorrect.

I think the correct month is July 1984.

And thirdly EXHIBIT S10, minutes of the UDF REC meeting. It was reflected as 11 September 1984. You will see at the conclusion of those minutes it says "Next meeting will be held on 18 October 1984." Are you able to indicate the correct date of the minutes? -- I think the correct date was October, especially because I was in detention on this date, on 11 September.

COURT : You should look at paragraph 5 under "General. (10) National Executive Committee meeting. It was reported that the NEC met over the weekend 9/10/84." So, this cannot be 11 September 1984.

MR TIP : That is correct. That is why the witness has indicated that it should be 11 October 1984. Those are the only corrections as far as dates are concerned. WI

WITNESS STANDS DOWN.

COURT ADJOURNS TILL 8 OCTOBER 1987.