

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

A

SAAKNOMMER: CC 482/85

PRETORIA

1987-10-08

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSORE: MNR. W.F. KRÜGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

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COURT RESUMES ON 8 OCTOBER 1987.

MOSES MABOKELA CHIKANE: d.s.s.

FURTHER EXAMINATION BY MR TIP: Mr Chikane there are just one or two last aspects that I want to canvass with you. The first is the question of the Pretoria office, whether there was an office of the United Democratic Front in Pretoria, and that relates to an admission concerning one of the documents, AAD.5 which has been admitted to have been found in a UDF office in Pretoria.

COURT: Just on a point of technicality Mr Tip are you (10) entitled to lead evidence to contradict a formal admission in terms of Section 220? If not on what basis do you lead this evidence? --

MR TIP: Well My Lord it is something that the witness can clarify.

COURT: No you admitted it, now you are not clarifying it, you are attempting to contradict it.

MR TIP: Well I am not sure that that is so but perhaps that question should then be left over and a formal application will have to be made. (20)

COURT: You will have to sort it out with your opponent. You cannot merely go in straight against a formal admission.

MR TIP: As the Court pleases. It is something that I think is amenable to a disposition on that basis.

COURT: It should be discussed and then agreed upon.

MR TIP: Yes. -- I am sorry, before I get into today's business I thought maybe I could correct something that I said yesterday, if the Court allows. Yesterday when I was asked about the Northern Transvaal I mentioned that I started going there as from 3 February 1984. In fact I think I was confusing (30)

two/....

two workshops because there was a workshop in May 1984, with the one that took place on 3 February 1985. So the fact of the matter is that I went to the Northern Transvaal in May, some time in May 1984 and the second one, and I conducted, I attended a workshop there. The second workshop that I attended was on 3 February 1985, that is the only thing that I wanted to correct.

COURT: Yes I thought that the date was 3 February 1984. So that must then be a mistake? -- Yes that was a mistake.

Let me just see whether I can pick it up. Yes I wrote (10) down 3 February 1984. You first mentioned May 1984 as the date on which you first became involved. -- That is correct.

That is the meeting at the church east of Turfloop. -- Yes.

But then you mentioned that that was 3 February 1984. -- No, that was incorrect, I was confusing that.

Was that incorrect? -- Yes that was incorrect. I was confusing it with the workshop that was held in the same area, more or less in the same vicinity in 1985.

Is the emphasis on 1985, not 1984. -- The second workshop, yes 1985, the same date but 1985. (20)

So you started in May 1984 and the second workshop was in February 1985. -- That is correct.

Yes, thank you.

MR TIP: In conclusion then Mr Chikane I want to ask you when you met for the first time the persons who have been accused with you in this trial. Could you tell His Lordship please when you first met accused no. 1, Mr Baleka? -- I met accused no. 1, Mr Baleka, when we appeared here in the Pretoria magistrate's court on 11 June 1985.

And accused no. 2, Mr Hlomoka? -- The same applies to (30)
accused/....

accused no. 2.

Accused no. 3, the Reverend Moselane? -- The same applies to him.

The erstwhile accused no. 4, Mr More? -- The same applies to him.

Accused no. 5, Mr Malindi?-- The same applies to him.

Accused no. 6 Mr Mokoena? -- I have seen Mr Mokoena in some of the General Councils but I met him formally on 11 June 1985 in the Pretoria magistrate's court. He had been to some of the General Councils, I have seen his face before. (10)

Accused no. 7, Mr Mphuthi? -- Although it is reflected in the register but I could only remember seeing his face on 11 June 1985 when we appeared in Pretoria magistrate's court. Although from the register it looks like he had been present in some of the General Councils of the United Democratic Front.

COURT: Transvaal or national? -- Transvaal. And of course I was not at the workshops but it is reflected that, he appears on the register on the workshop that was held in Daleside.

MR TIP: Accused no. 8, Mr Nkopane? -- I met him for the first time here in Pretoria on 11 June 1985. (20)

Accused no. 9, Mr Ramagula? -- Met him the same date.

Accused no. 10, Mr Vilakazi? -- Met him the same time, on 11 June 1985.

Accused no. 11, Mr Mokoena? -- The same with him.

The erstwhile accused no. 12, Mr Malini? -- The same.

Accused no. 13, Mr Nkoli? -- The same.

Accused no. 14, Mr Thlopane? -- I met Mr Thlopane during my detention in 1984, August, in Johannesburg Prison. I was with him and I then met him again on 11 June 1985, here in Pretoria Magistrate's Court. (30)

Accused/....

Accused no. 15, Mr Hlanyane? -- Met him for the first time when we appeared in the Pretoria magistrate's court here.

Accused no. 16, Mr Manthata? -- I had known Mr Manthata I think in 1977 formerly, although I used to hear much about him before. I do not think we ever met before that. When we were detained together under Section 10 in Modderbee Prison.

COURT: In 1977? -- In 1977.

MR TIP: Accused no. 17, Mr Matlole? -- I met him for the first time in Pretoria magistrate's court on the 11th when we appeared. (10)

The former accused no. 18 Mr Simon Vilakazi? -- I met him for the first time on the same date when we appeared in Pretoria magistrate's court, for formal charges.

Accused no. 19, Mr Molefe? -- I met him, if my memory serves me well on 21 May 1983 when we launched, the first meeting of the General Council of the Transvaal UDF.

Accused no. 20, Mr Lekota? -- I had known of him because I attended some of, one day day in Pretoria, he came several times, I saw him but then I met him...

COURT:

Just a minute you are going too fast, when they (20) appeared in Pretoria when? -- In 1976, around 1976, 1975, when they were in that trial.

Oh you mean his court case? -- Court case, yes.

Yes. -- But I did not meet him then, I only met him on 20 August 1983 in Cape Town.

MR TIP: And finally accused no. 22, Mr Ratsomo? -- From the look of things Mr Ratsomo was present on 15 October, the day when, 1983 when I was, my nomination was ratified by the General Council of the Transvaal but I formally met him here in Pretoria when we appeared for formal charges. (30)

My/....

My Lord that completes the examination-in-chief.

CROSS-EXAMINATION BY MR JACOBS: Mr Chikane when were you first enacted on the Executive of the UDF, Transvaal? -- I was approached towards the end of September by Reverend Frank Chikane sent by the Transvaal Executive.

No but ... -- And then I was supposed to have attended the next meeting. I cannot remember the specific date, but I could not. Finally I became a secretary when the nomination was ratified by the Transvaal General Council on 15 October, 1983. (10)

Now which organisation did you represent when you were elected on the Executive of UDF? -- I represented Afri-News Association.

And was Afri-News then an affiliate of the UDF? -- That is correct, at that stage.

For how long did it remain an affiliate of the UDF? -- It remained an affiliate until towards I think the beginning of May when the UDF, Transvaal took a decision that all service organisations should not be affiliates of the UDF. The resolution was taken by the General Council of the UDF, (20) Transvaal. I am not sure of the date but it was just around that time, between April and May.

ASSESSOR (MR KRUGEL): What year? -- 1984.

MR JACOBS: Now what was the position then Mr Chikane, did that decision by the UDF terminate your office as secretary of UDF Transvaal? -- No it did not.

Is it not so that you cannot serve on the Executive of UDF if you are not a member of an affiliated organisation? -- That is correct but at that particular stage I was a member of another affiliated organisation. (30)

COURT:/....

COURT: Which one? -- Mamelodi Action Committee.

MR JACOBS: So from May 1984 you represented the Mamelodi Action Committee, MAC? -- That is incorrect. I remained a member of the Transvaal Executive.

Yes but do you have your seat, or did you have your seat on the Transvaal Executive on the basis of your being a member of MAC? An affiliate of UDF? -- That would be so because as soon as service organisations were terminated membership was terminated, then I was regarded to be a member of the Mamelodi Action Committee but I represented, I was a member of the (10) Transvaal Executive. I remained a member of Transvaal Executive even thereafter.

Is it correct that no person can be elected on any of the executives of either Regional or National UDF unless he is a member of an affiliated organisation? -- That is correct.

Were you nominated for the executive of Transvaal again after that, on the next election of the Executive of Transvaal Region? -- No the next elections were in 1985. I was not elected.

But were you nominated? -- That is correct. (20)

And then you were nominated as a representative of, or a member of MAC? -- That is correct.

Is it also correct Mr Chikane that all the delegates who attended the conference at the launch of the UDF were representing organisations who were either already affiliated to the regions or became affiliates in terms of the Working Principles? -- Only the delegates, there were observers as well.

Yes, I am referring to the delegates. -- That is correct.

And organisations who registered as participants at the national launch on 20 August 1983 are listed on page 60 (30)

and/....

and further of A.1? -- That is so, as far as I can recall.

And according to this list then the SCA, that is the Soweto Civic Association, and the Committee of Ten, they were both represented as founder members at the national launch of the UDF? -- I there has been a confusion that was created by possibly lack of explanation in regard to committee of ten. I think most probably a member of committee of ten should have registered outside in the name of committee of ten without proper explanation given to him because if that was the case the committee of ten in the Transvaal is regarded as the (10) executive of the SCA. I could only explain this mishap in that particular fashion.

But factually it is now, it is correct then that the committee of ten registered at the launch and registered as a founder member of the National UDF? -- That is how it appears.

And because they registered there they were automatically, they were members, affiliated members of the SCA and Committee of Ten of the UDF, national, of UDF? -- If taken on the basis of what has happened that would be the case.

They did not afterwards withdraw as members of UDF? (20)
-- No I do not remember them withdrawing.

Now Mr Chikane what is the position in the UDF Transvaal, did you keep a list of affiliates? -- That is correct.

And did you keep an address list of all the affiliates as well? -- Not all of them. I think it appears as part of the exhibits. Some of the organisation we do not necessarily have their addresses so the address is not reflected on those lists.

Is it not important to keep the addresses? -- Of course it is but ...

So what did you, did you ... -- it happens that (30)
some/....

some organisation either did not have offices you know, and as a result you find that you cannot, or others had offices at one stage but they shifted and they were still looking for offices. As a result we did not have addresses. Other organisations were still new, they had not gone into the issue of looking for offices. So we waited on them to give us addresses.

And it was necessary from time to time to send out minutes and notices, or anything to the affiliated members? -- That is correct. That was done in two ways. Either people collected(10) minutes and so on from the offices, other minutes were delivered, or documents were delivered to members of the executive of those organisations that are working somewhere in town. So for instance if you know that so and so is working around Johannesburg it is a member of this particular organisation if you wanted to send any document to that organisation then you could easily give it to that person and then he would take it to his organisation.

And if you have to notify them of an urgent meeting or something like that? -- We follow the same procedure. (20)

Did you keep telephone numbers of the people in control of affiliated organisations? -- I did not get that question?

Did you keep a list of telephone numbers of the people in control of the affiliated organisations? -- Those that had phone numbers, not all our organisations have got phones, yes.

Is it also correct Mr Chikane that the SCA and the Committee of Ten were also founder members of the UDF Transvaal Region? -- I know that the SCA was a founder member of the Transvaal Region. I cannot remember specifically what the position of the Committee of Ten is, as I stand here now. (30)

And/....

And were people from the SCA then elected on the executive of the UDF Transvaal Region? -- That is correct.

Is it correct that Dr Motlana was one of those persons? -- That is correct.

Frank Chikane, was he one of those representing Pimville in Klipspruit? -- That is correct.

Popo Molefe, accused no. 19, he was a member of the SCA and elected to the UDF Transvaal Executive? -- That is correct.

And M. Bokala, the other names that we have already come across a lot of times, I will only spell the name for the (10) record of Bokala, it is M. and it is B-o-k-a-l-a. -- That is correct.

And he was a member of the SCA elected on the executive of UDF Transvaal Region? -- That is correct.

And they were elected, I put it to you, on the basis that the SCA was an affiliated member of UDF Transvaal? -- That is correct.

Now at the General Council meeting of 21 May 1983 the following people from the SCA attended that General Council meeting, that is ... (20)

COURT: What is the date, the General Council of the Transvaal?

MR JACOBS: Of the Transvaal.

COURT: What date?

MR JACOBS: 21 May 1983. That is according to EXHIBIT 26.

I put it to you that the following people from the SCA attended that meeting: that was Mr Popo Molefe, accused no. 19 as an observer. -- That is correct.

V. Mogane, he was an observer and from Moletsane/Tladi branch of the SCA? -- I do not know that person unless if I see the exhibit, I cannot comment. (30)

Mr M. Lephunya/...

Mr M. Lephunya, L-e-p-u-n-y-a, he was there as an observer? -- M. Lepunya?

Ja. -- I do not know that person.

And A. Masondo, M-a-s-o-n-d-o. He was a delegate of the SCA. -- That could be so.

And Mr T. Manthata, that is accused no. 16, he was there as an observer. -- I do not remember seeing him but as I say I do not have the exhibit before me and I am relying on what the advocate is saying.

Mr Chikane according to EXHIBIT 26, that register, that (10) was, if I understand it correctly, the first sort of official meeting that was held? -- That is correct.

What was the purpose of this meeting? -- That the organisations first must approve of the draft Declaration and then from there those that approve of the declaration of the United Democratic Front, Transvaal, would be regarded as the affiliates of the UDF Transvaal.

Now who was in control of this meeting? -- The committee, I was amongst those who were in control because I was a member of the Secretariat at that particular time. (20)

Now Mr Chikane can you tell us who were the members of that committee? -- It was myself, Jabu Ngwenya, Monde Mtijwa.

I think you had better spell the names for the record.

COURT: Well have we not had this all before?

MR JACOBS: Do you know any other people, was accused no. 19, was he a member of that committee? -- As far as I can remember no I was meeting him for the first time as I have already said, in that particular meeting.

And Dr Motlana, was he a member of that committee? -- I had met Motlana before, I think around April, in one of the (30) meetings/....

meetings that were held in preparation of that meeting that was held. So I will regard him as a person who had been you know a supporter of that committee or a member at that particular stage because we did not have a constitution, we did not have any document that we relied upon. People used to come and go as freely as they possibly can. But I would say he had appeared in one meeting. I cannot regard him as a member simply because he appeared.

Now Mr Chikane can you tell us how many people were elected on that committee? -- As far as I can remember the (10) three of us were appointed to form the secretariat, that is myself, Jabu Ngwenya and Monde Mtijwa. They were ...

COURT: Just for record again, the typist has forgotten how one spells Mtijwa. Give it to us. -- If I can just write them down so that I do not miss one letter.

Yes do that. Jabu Ngwenya would be J-a-b-u, that is Jabu. Ngwenya is ...

Just hand the bit of paper to the operator, that is much easier.

MNR JACOBS: Edele mag ek die dame, ek wil aandag daarop (20) bevestig hulle het blykbaar reëlins getref met een van die beskuldigdes as die name so gegee word dat hy dit dan neer skryf en dit later vir hulle gee. Of dit sal voldoende wees en of ek maar moet voort gaan om elke keer to spel.

COURT: Nee dit is maklik genoeg so lank iemand dit net vir die operatriese gee. As u tevrede is dat die spelling reg is.

MNR JACOBS: Hulle het dit so Edele.

HOF: Dan gaan dit baie vinniger. -- We were in this secretariat committee. There were other people I think, I cannot remember the exact number but I think there were not(30)

really/....

really more than 5 who were appointed to work on the draft declaration. Amongst them there was Mohammed Valli Moosa and Momoniat, if my memory serves me well, Dr Jassat and I am not sure if Cassim Saloojee formed part of that committee. Those are names that I can remember as I stand here.

Mr Chikane must I then understand that there were different committees appointed? -- That is correct, by the meeting.

One a secretariat existing out of three persons? -- That is correct. (10)

Then the committee drafting the declaration? -- That is correct.

And then they were as you said five persons? -- Yes, about five persons, I am not quite sure of the number now as I stand here.

What other committees were appointed? -- There were individuals that were approached, requested to approach organisations.

Were they members of a committee to do that or were they ... -- They attended meetings of the committee. As I (20) say we did not really have a formal constitution as to can call a member at that particular stage.

You must have-- But these individuals were requested by this group of individuals sitting together to perform this particular task of approaching an organisation and asking them to be present on the meeting of 21 May 1984.

Yes. Now you see because on this first meeting of ...
COURT: 21 May 1984 or 1983? -- 1983, I think I should stop mentioning the years, they always confuse me.

MR JACOBS: So all the, at this first meeting on 21 May (30)
1983,/....

1983, you see it is strange for me that A. Masondo appeared there as a delegate of the SCA. What was the position then about delegates? When was it decided that people can only appear at this meeting as delegates and so on? -- When we approach an organisation we requested them to send people formally to this meeting in order for the purpose of adopting the declaration. So it is correct that Masondo should appear as a delegate because we would not just call an amorphous meeting of organisations, we call these meetings for the purpose of adopting the draft declaration of the United Democratic Front. (10)

And was it adopted at this meeting? -- That is correct, there were amendments and additions and so on. I cannot recall every phrase that was amended, and additions, but ultimately it was adopted.

Yes. Did you also adopt the kind of constitution of something like that to see how people can be elected and so on? -- I do not understand your question.

On what basis did you ...

COURT: Were there working principles adopted? -- If my memory serves me well not at that stage. If my memory serves me well. I might be wrong. (20)

MR JACOBS: And according to, I put it to you that according to EXHIBIT 26 that on the meeting of the Transvaal General Council of 4 June 1983 A. Masondo attended that meeting officially as an SCA delegate. -- Well that counsel is reading from that document and I do not know what to add because I do not have that document before me.

COURT: Where is this leading Mr Jacobs? Why do you not ask the witness whether the SCA was represented by an official delegate/... (30)

delegate and if he says yes and you ask him whether it was Mr Masondo that is the end of it. If he disagrees that it is Mr Masondo you show him the register. But why do we have to take such a devious route to get there? I have always understood it that the organisations were represented by representatives, or delegates or whatever you call them, and then you can take it up with the witness who represented the SCA, if he can remember after all these years.

MR JACOBS: I will then only put it officially to you then, I put it to you that Mr Masondo attended the meeting, the (10) General Council meeting of 4 June 1983 as a delegate of the SCA? -- I cannot remember but I cannot dispute that if it appears on there.

And then can you have a look at EXHIBIT 26.

COURT: Well where is EXHIBIT 26?

MR JACOBS: I have got one here, sorry, I just want to show them, there is a copy, there was a copy available. -- According to EXHIBIT 26 Popo Molefe was representing SCA, he was not an observer.

Where are you reading now Mr Chikane? -- The first (20) name in EXHIBIT 26.

COURT: But which meeting are you referring to? -- The meeting of the 21st, oh yes he was, no I am sorry he was from SCA but here he is marked observer.

What do you want to know Mr Jacobs, do you want to know about the 21st or do you want to know about 4 June?

MR JACOBS: I want to know about 4 June but ...

COURT: Well then help the witness a little bit so that we can get on with the case. Refer him to the number on the page, refer him to the page and get moving. (30)

MR JACOBS: /....

MR JACOBS: Can you go to the meeting of the General Council Meeting of 4/6/83, three pages on Mr Chikane. Have you got, at the top there is UDF General Council meeting 4/6/83.

COURT: Have you got that page? -- Yes I have got that page.

Will you look at item no. 16, you see an A.M. Masondo there, it says SCA? -- That is correct.

The telephone number is not give, his address is not given except for Johannesburg and there is a mark in the column delegate? -- That is correct.

What does that indicate to you? -- All it says here is (10) that he was a delegate because at the extreme right of this very docuemnt it is marked right on the column of the delegate.

Yes, so do you accept that he was a delegate at this meeting? -- I accept that he was a delegate at this meeting.

MR JACOBS: Will you go on two pages to the General Council Meeting of 16 July 1983. Have you got it, on top UDF General Council Meeting 16 July 1983? -- I cannot see that. I see UDF Council Meeting but it is not complete here. Starting with B.M. Barry, yes that is right. That is the same thing.

Now Mr Molefe there the first person is, there are (20) no numbers but the 16th name from the top ...

COURT: Which name are you referring to?

MR JACOBS: Mr S. Meroyotlhe, from SCA as an observer.

-- Meroyotlhe.

And two names above his there is Mr G. Mokate. -- Yes I see that.

Also from SCA as an observer. -- That is correct according to this document.

And then on the next page there is Popo Molefe ...

COURT: Now just a moment, where are we going to Mr Jacobs? (30)

What/....

What do you want to establish? Are you disputing the correctness of this register? -- No I am not.

Well then you can refer to the register later.

MNR JACOBS: Ek wil dit aan hom stel Edele, ek wil aan hom stel dat h groot getal mense uit SCA het hierdie vergaderings bygewoon tot of voor die stadium waar dit beweerd word dat SCA nooit h lid was nie, wat dat deur beskuldigde 16 getuienis gegee was en dat hulle eers lede geword het na Oktober 1984 en dat sy getuienis nie kon reg wees nie as h groot, en ek wil uitwys aan die Hof en ek wil op rekord kry dat h groot aan-(10) tal mense uit die SCA vergaderings bygewoon het. In hulle amptelike hoedanigheid het hulle dit bygewoon en hulle kon dit nie anderste bygewoon het as hulle nie lede was nie en dat beskuldigde nr. 16 se getuienis nie korrek is nie.

MR TIP: My Lord I wonder if it might be appropriate just to draw Your Lordship's attention to the fact that there is an admission which stands as to the affiliation of the Soweto Civic Association to the Transvaal Region.

COURT: On the first meeting, what does it state?

MR TIP: It, the date is not specified but I think that the (20) framing of it was that unless otherwise specified it would be as at the date of the launch, of the national launch.

COURT: Well still I cannot see your point Mr Jacobs. This witness does not dispute the correctness of this register. Where a delegate signed as a delegate he is a delegate. If he signed as an observer he is an observer unless it is shown to us that he made a mistake doing that. And that would then indicate that on these dates these gentlemen signed the register as delegates.

MR JACOBS: Soos dit u behaag Edele. Mr Chikane why were (30) they/...

they called General Council meetings before a General Council was elected? -- When we called this meeting, when people approached the organisations we approached them for the purposes of adopting a declaration, a draft declaration of the United Democratic Front. So we expected that every one of the delegates that is representing an organisation is sent, or she is sent with a mandate to represent an organisation and I think it is for that reason that it was seen as a General Council because it was a structure that was going to be composed of individuals that are going to be able to take a decision. (10)

Now Mr Chikane is it also correct that you personally attended the national launch of the UDF as a secretary from the Transvaal? -- That is incorrect.

Well would you have a look at EXHIBIT A.1.

COURT: Page?

MR JACOBS: On page 6. Can you explain to the Court then, and were you elected on the National Executive as one of the secretaries of the Transvaal, regional secretaries? -- Not at this particular stage. I was only approached towards the end of September and I think this document A.1 was compiled (20) later, much later than that, that is the reason why it has got my name on it.

Now under, on page 6 where it reflects the National Executive of UDF under the heading "Regional Secretaries" your name appears as one of the regional secretaries forming part of the National Executive of UDF? -- That is correct. Hence I say this document possibly was produced after I had been elected as the Transvaal Secretary. To support my case if we can refer to the Minutes of the National Executive, I think it is D.1, it will reflect people who attended those (30)

meetings, /....

meetings, people who were regarded at that particular stage as members of the National Executive of the UDF and my name would not appear there.

Now can you give D.1 to the witness please. -- That is correct, on the first page it is the Minutes of the meeting of the UDF held on 10/11 September 1983. That would be a month or just three weeks after the national launch. And then the list of people present there, the meeting was held in Phoenix Settlement in Durban and my name does not appear as a person who was being present or a person who was rendered an (10) apology and it is on this ground that I am saying at this particular time I was not the secretary of the region. Neither was I a member of the National Executive.

Mr Chikane except for the list in the back of A.1 of affiliates of the Transvaal when new organisations were formed and formed part of the, and affiliated to the UDF and became part of the UDF did you keep, have you a system of keeping up your list of affiliates? -- That was what was expected, especially from the full time secretary and the administrative secretary but I have already highlighted the (20) problems that we had in the office.

Now what is your answer now, did you keep a list? -- We were supposed to and I was not working in the office so I cannot say for sure but those lists were kept.

Mr Chikane did you not send out any notices to affiliated organisations? -- I did.

Where did you get the addresses from? -- If I sent a notice normally what I would do I would draft it, send it to the office to be typed and I will instruct the administrative secretary to send it out to affiliated organisations. So (30)

I/...

I do not have to get the list myself.

And is it also important to keep a list in order to send out the minutes of the previous meetings on time to the different affiliates of the UDF? -- That was important and that was what was supposed to be done. Whether it was done I cannot testify.

And during the time that you were there were minutes and other notices or other documents, circulars, sent out to the SCA as well? -- That is correct.

So they received correspondence and documents from the (10) UDF? -- As far as I know. Counsel had just highlighted that Mr Lephunya, who was working in the office, came from the SCA. So things like that possibly I would have just given them to Mr Lephunya to take to SCA. We would not get him to post them when he is in fact a member of the particular organisation.

Is it also correct Mr Chikane that the REC of the Transvaal Region of the UDF has made a decision in regard to the attendance of General Council Meetings by delegates and observers? -- What decision? (20)

Do you know about any decision on delegates and observers? -- I know at some stage that the General Council decided that in fact delegates and observers have got to be separated.

Yes. -- If that is what counsel is referring to.

COURT: As far as the seating is concerned? -- As far as seating is concerned.

MR JACOBS: Do you know about any decision on what is to be regarded as bona fide delegates and accredited observers, and do you know about any decision on that? -- As far as I recall is that we were well aware of the fact that some (30) delegates/...

delegates, I mean some observers are sent by their organisations, they are not persons who had come to be interested in the organisation. So those people would be classified different from an individual who just decided to come to a General Council Meeting to be an observer.

COURT: Were there official observers and sightseers? --
Sightseers too were allowed.

I see. -- But we felt it was important because what had happened from time to time on certain aspects we found that observers too wanted to make a contribution. Well if you (10)
allow an individual who represents his jacket the danger is that later if you run into problems you have got no one to refer to, but if a person is sent, is an observer from an organisation if you want to follow an issue up you can always refer to his organisation or her organisation that had sent him to be an observer in the General Council Meeting.

But now did only delegates have the right to speak or did observers also have the right to speak? -- From time to time we allowed observers to have a right to speak but not a right to vote. For example if we were discussing the (20)
amendment of the constitution or working principles we obviously would not allow a person who is a non-affiliate to contribute to that discussion because that does not affect him or his organisation but on other issues you may find that we allow him to make a contribution.

MR JACOBS:

Mr Chikane as the secretary you assisted in bringing out reports, secretarial reports to General Council Meetings, is that correct? -- Can I get the question again.

As a secretary of the UDF Transvaal you assisted in bringing out reports to be presented to General Council Meetings?(30)

-- Yes,/....

-- Yes, some of the reports in fact I was supposed to have helped to prepare those reports but because I was not working in the office and often the information that was needed to compile a report would be received maybe during the week when I was working in a different office of community and resource information centre, that is CRIC, the task of compiling the report really fell on the shoulder of my co-secretary Mohammed Valli but from time to time I would read those reports.

Will you have a look at EXHIBIT Q.3.

COURT: Q.3?

(10)

MR JACOBS: Q.3. This is a secretarial report to the General Council Meeting held on 30 June 1984. -- That is correct. I had seen this document before I was arrested.

Did you assist in compiling this report? -- No, but I read it before it was presented.

Yes, now the last the paragraph:

"Attendance at General Council Meetings. The Executive Committee has decided that only bona fide delegates and accredited observers be allowed at General Council Meetings. Bona fide delegates will be those whose names appear on registration forms which would be issued before the next meeting. An accredited observer would be one who is recommended by the delegates from the organisations the person belongs to. Members of sub-committees would require the recommendation of the secretariat. Proxies for delegates would be required to furnish the credentials committee with written evidence of their bona fides. The credentials committee would comprise L. Vogelmann and N. Pahad."

-- That is correct.

(30)

Now/....

Now this Executive Committee, it first refers to the Executive Committee has decided. Which Executive Committee are you referring to, is that the National Executive Committee? -- No that would be the Regional Executive Committee, that is the Transvaal.

Do you know about this decision? -- That is correct.

Now did the organisations register their affiliates?

COURT: Their affiliates or their delegates?

MR JACOBS: Did the affiliated organisations register their delegates, bona fide delegates? -- They were supposed to (10) and as I say I cannot testify whether or not they then did because I was not working in the office.

Was it not important for you to see that the instructions of the UDF is carried out? -- That is correct but once we have a full time secretary and you have an administrative secretary, both are administrative issues really. Once the decision is made in a General Council it is a decision that is binding on all organisations that were present in that particular General Council. As a result you think what is left is that it needs to be carried out so it becomes just an administrative (20) issue.

Is it not part of the secretariat to see to it that the instructions of the Executive is carried out? -- That is correct. I have already highlighted my limitations to the Court.

Mr Chikane must I understand then that you were not very active in the UDF Transvaal? -- I was but I was not very active in running the office.

No it is not a question of running the office, it is a question of seeing to it, is it not so Mr Chikane, to seeing (30)

to/.....

to it that the instructions were carried out? -- It was my responsibility.

Do you know whether the delegates from the SCA registered as bona fide delegates from SCA? -- I have not really got to see a document to that effect thereafter but this was the decision that was taken by the General Council of the UDF which is composed of all affiliated organisations sitting together, although they were not all in this General Council. So this was a decision that was supposed to be effected by all the organisations. If my memory serves me well even (10) the SCA was present in this meeting. I will just check.

COURT: Now just before you start checking where are we going?

MR JACOBS: I beg your pardon sir?

COURT: Where are we leading to? There is a credentials committee comprising Vogelmann and Pahad, not this witness.

I would expect the credentials committee to take at each meeting the appropriate steps to check the credentials of all the people attending. So specifically on this minute it is not, on this report, it is not his function to check the credentials. (20)

MR JACOBS: Yes. I just want to know from him as secretary whether he knows whether they were registered.

COURT: Well he says he does not know.

MR JACOBS: Mr Chikane was a Soweto Area Committee formed?

-- It was.

A UDF Area Committee formed? -- It was.

Now do you know which organisations belonged and formed that Area Committee, Soweto Area Committee? -- As a standard rule all affiliated organisations operating in one area were supposed to be members of that particular area committee (30)

operating/....

operating in a specified area.

COURT: Now the Soweto Area Committee's are was that only Soweto or was it wider? -- It was, initially it was meant to be Soweto but later the REC decided that other areas, I think Eldorado Park and Lenasia, should be included in the Soweto Area Committee. Because we had few affiliates in those areas and we felt it to be better if they worked together in one area committee and they became members of the Soweto Area Committee.

MR JACOBS: Did you have any official contact with the Soweto Area Committee as secretary of the UDF Transvaal Region? -- (10)
I remember I attended one or two of their meetings.

Now can you tell the Court who were the members of the committee itself? -- The Soweto Area Committees, the area committees at that particular stage they did not really have an executive, they did not have structures. From time to time they appointed a different person to head the discussion, maybe to Chair a particular session or to Chair the whole session of the meeting but all I can say is that this area committee was composed of delegates from organisations operating in that area, even in Soweto that was the case. (20)

When you said you attended two meetings was the SCA also part and present at those meetings? -- That is correct.

When was that? -- I cannot remember the month precisely but it should be, one meeting should have been in 1985, I think around February 1985, January or February 1985. I remember because the issue that was being discussed was that Nobel Peace Prize of Bishop Tutu.

And the other one? -- The other issue, the other meeting that I attended in Soweto it was when I went to speak to them about whether they are allowed by the Executive to keep a (30)
separate/...

separate banking account or not. I did not stay long in that particular meeting. You know I just came to tell them about that particular issue and I went there after. Now I think, if my memory serves me well, it should have been around October.

COURT: Which year? -- 1984.

MR JACOBS: Do you know when the Soweto Area Committee came into existence? -- No I do not remember specifically when it came into existence but I know the decision was proposed in June by the Evaluation Committee. So I cannot testify about when exactly the Soweto Area Committee was formed. (10)

COURT: June 1984? -- June 1984.

MR JACOBS: Now Mr Chikane just to clear it up, you said that there was no committees formed. -- There was area committees formed but ...

As a body? -- As a body. They did not have a fixed structure, they did not have a permanent Chairman, they did not have a permanent secretary or so on. The Chairmanship or secretaryship from the look of things was rotational, every time.

Now how did they conduct their duties and, if they have (20) not got a committee to see to it, a secretary, treasurer? -- The formation stays, but as far as I can remember is that they would, if they sitting in a meeting today they will decide the date of the next meeting today. So that is how they used to run their business. An organisation would bring whatever issue. Agendas were drawn there and then in that particular meeting, before the beginning of the meeting.

What were their duties Mr Chikane? -- We wanted to improve communications amongst UDF affiliates in different areas. That was the most important factor that led to the formation (30)

of/....

of these area committees. The second thing we felt that if organisations worked together in one area they will be much more effective because they will be able to share skills and they will be able to carry out the campaigns, like MSC, which was a campaign of the UDF, much more effectively.

So was it part of their duties to see to it that campaigns of the UDF are carried out? -- It was part, partly part of their duties because that decision would be taken at the General Council Meeting. They will be part of that decision making process. All we are saying area committees when they(10) get there they will be able to work much more better in that particular area of theirs.

Did they have any representation on UDF regionals or General Council or on the REC? -- That was what the evaluation committee has recommended, but up to the time of when I got out of the Transvaal office, in fact that was not working properly. I remember around October/November, after my release from the Johannesburg Prison, only Alexandra managed to send a rep to the REC meeting. Other areas could not, so it was not working well although the decision was taken, because the recommen- (20) dation of the evaluation committee were adopted by the General Council.

There was also an area committee in Pretoria? -- That is correct.

And were you part of that area committee? -- No I was part of, at that particular stage I was still part of the REC but I would attend meetings from time to time if I had time but the area committees were sort of composed of people who were working in organisations around Pretoria all along. Now I had much more wider responsibility than the Pretoria (30)

area/....

area committee. Whilst we are there I just wanted to bring to the attention of Your Lordship that in fact most of the organisations in Pretoria used to meet. The head office is in one building and even these area committee meetings used to take place in that particular building. The building was hosting SAAWU, AFrinew, MACWUSA and NGWU, National General Workers Union, that is NGWU. Now as a result these offices were often regarded, I mean that place was often regarded as a UDF office because even the post if people wanted to write to affiliates in Pretoria they would write in to this particular building. (10)

COURT: What was the name of the building? -- It was, no I cannot remember the name as I stand here.

Where is it? -- It was where they bet horses here in Pretoria, in Prinsloo Street.

On top of the Tote? -- Yes on top of the Tote, that is the place.

A good place to have an office. Yes?

MR JACOBS: Mr Chikane I would like you to have a look at EXHIBIT C.44. -- I have got it. (20)

This is notes made by you and found in your possession. -- That is correct.

COURT: What is the number you are looking for? -- C.44.

C.44? Did you notify my Registrar?

MR JACOBS: Yes sir, I gave him all ... Can I carry on My Lord?

COURT: Yes.

MR JACOBS: C.44 are notes compiled by you? -- That is correct.

And on page 20(a), the page after the page marked 20 there ... (30)

COURT: /

COURT: I think I will take the adjournment now so that I can get my documents.

COURT ADJOURNS FOR TEA. COURT RESUMES.

MOSES MABOKELA CHIKANE: d.s.s.

FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Chikane have you got the number no2, page 20(a)? -- That is correct.

Now there stands "Soweto Area Committee. Amos Masondo, Johannesburg Sid Bam, Pretoria Squire Mahlangu, East Rand Azaar, I cannot make out your handwriting there on the East Rand, is it Momomo? -- I am not sure if I have got a (10) different page 28 here.

No ...

COURT: 20(a), the page after page 20. -- I thought it was page 28, I am sorry. -- That is correct, I have got it.

MR JACOBS: Now under East Rand there, Azaar is it Momo, or what is it, what did you write there? -- That is correct, Momo.

And West Rand as Commission and Momo? -- That is correct.

FAWU is Mokoena, Pat? -- That is correct.

And Pietersburg Moss and Louis Nguni? -- That is correct.(20)

Now can you explain, this note it seems Mr Chikane as if it is part of a meeting, or minutes of a meeting? -- No that is incorrect. In fact here we were talking about people who have got to contact these different area committees you know and then I made this short note. For instance if you look at me it is myself and that on Pietersburg, the last one, it is Moss and then there is a sign there and then Louis. That is I was going to contact the Northern Transvaal or phone Louis. That is how it works. And then these other people who were supposed to contact people in those area committees. Now (30)

if/....

if His Lordship would look at East Rand Azaar was working in Johannesburg, in Commissioner Street, or Momo, Momo is working on the East Rand for instance, Momo is staying in Lenz which formed part of the Soweto Area Committee. So it means these two individuals were to contact people in that particular area.

COURT: Who is Momo, is that Momoniat? -- Momoniat.

And Commission, what is that? -- Momo was a member of Commission so we will saying maybe, I think we said Commission should contact the West Rand and then I said Momo can do it. (10) That is why you see that sign Commission and then that sign and then Momo.

Who is Azir Bam, is that the attorney Bam? -- Where is it?

That is under Johannesburg? -- no I do not think so, it looks like from the look of things it could be a different person. I do not know because that one is Mohammed Bam. It may well be him because I do not know all his names.

MR JACOBS: You say this is not part of a meeting? -- These notes most probably were made in a meeting but I am saying it does not mean that these people were present. It does not (20) mean that everybody that is here represented an area committee. What I am saying is that these people were to contact those committees or people who were likely to form area committees in those areas. That is all I am saying.

COURT: Well what are you saying? Are you saying that they have to contact these people in connection with the area committees existing in those areas or are you saying that these people have to contact the other people who would have to form area committees? -- What I am saying in some areas we already had area committees at this particular stage. (30)

In/....

In some areas we only had members of affiliated organisations. All we are saying here as far as, if my memory serves me well, is that these people where there are area committees they have got to contact those area committees. Where there are no area committees they have got to contact members of the organisations in that particular area.

With a view to forming area committees? -- With a view to forming area committees. For instance if you look at Bam, you see Mokoena and then you see Pat. The Pat referred to here should be Pat Lephunya. (10)

And Mokoena? -- Mokoena most probably it was accused no. 6, Peter Mokoena, to say now Pat must contact Mokoena.

No it is the other way around, Mokoena is to contact Pat because under Pietersburg it was Moss to contact Louis. -- That could be possible but you know the way one makes short notes you just write in order to capture the idea. Because Mokoena was, had never represented an area committee and he was never present in a meeting of REC and area committees, as far as my memory serves me, had never been present in the meeting of RGC, that is the Regional General Council. (20)

MR JACOBS: Mr Chikane do you know whether the SCA and the Soweto Area Committee did take up some of the issues to mobilise the people? -- That is correct. In fact not only in Soweto, in different areas. Even in Pretoria we took up some of the issues to mobilise the people.

Yes, and their achievements, that is from SCA and the Soweto Area Committee their achievements were reported to the UDF and which the UDF then claimed as achievements and successes of the UDF? -- No, except when those issues have been agreed upon in the UDF General Council Meeting. At times people (30) will/....

will just report, as merely reporting, they will just tell us what else they are doing, which is of no interest necessarily to the UDF.

Can you give examples of those that are not of interest to the UDF? -- For instance Lord McCamel reported in one meeting that he has lost his job.

Yes. Is that an issue? -- That was not of any interest to the UDF, to the UDF General Council.

Is that an issue? -- I am giving, you said I should give an example, I was asked by counsel to give an example. I (10) am trying to do so.

Of issues taken up. That is of no interest to UDF. -- Yes that is correct.

Can you give us examples? -- I give this example of McCamel, that is the one that I can remember now because it was included in the report. He reported about how they are organising zones in the Vaal for instance and then ultimately he said "I have lost a job, you know I am fired as a teacher." Now I am saying some of those issues do come up in the General Council meeting and those issues are not necessarily of (20) interest to the UDF. The other issue for instance to be a programme of an organisation that is embarked by an organisation which has not been discussed by the General Council of the UDF that will still, the organisation there may or may not report about that particular issue. Let us say in Mamelodi we decide, Mamelodi Civic Association decides that they are going to call, hold a concert and this issue is not raised before it is done in the General Council of the UDF. The concert would remain an issue of Mamelodi Action Committee unless it can be raised and be supported by the UDF's branches. Then (30)

it/....

it becomes a UDF, it becomes a concern of the UDF.

Mr Chikane to cut it short I put it to you that issues taken up against the Black Local Authorities in Soweto and in the area of Soweto Civic Association and Soweto Area Committee, and which UDF claimed to be their successes are inter alia, to help you, to assist you C.110 page, I will read it from there and then have it before you and you can tell the Court. It is volume 7. -- First of all I have never seen this document before. I am seeing it for the first time here as an exhibit in this court. (10)

Can you explain how is it possible Mr Chikane, just let me identify the document first, it is headed "UDF and the Black Local Authorities" dated February 1985. It has an introduction and it has an appendix to it and this document was found in the UDF offices in Johannesburg. How is it possible Mr Molefe that nobody, not you, not accused no. 19, not accused no. 20, has seen this document? -- As I have already said that I did not have a pigeon hole in the office and I had a permanent job that I was keeping. It is possible, especially in my case not to see a document that was found (20) in the UDF office.

Have you read through this document Mr Chikane when you saw it for the first time here in the court? -- That is correct, I did glance through it.

And this, do you agree Mr Chikane that this document is in accordance with UDF policy? -- I do not know because I have not really read it checking whether it has any relationship with the policy or not. I just glanced through it because it was an exhibit, in this court. I cannot really say. Maybe some aspects may reflect UDF policy, some may not. (30)

And/....

And I put it to you further that parts of it, of this document, reflect UDF programme of action, Transvaal UDF Regional programme of action? -- Unless counsel refer me to those parts.

You have read through it, have you not seen it that ... -- I have just read, glanced through it. Now that counsel is speaking about a specific issue I think it will only be fair if I can be referred to that so that I can look at it afresh.

And I put it to you further that this was compiled in the UDF offices? -- I do not know about that. By who? (10)

By somebody in your office? -- I do not know, I was not working in the office.

Now let us go it the long way then Mr Chikane and we start from the beginning:

"The last five months have seen the heightened resistance to the Black Local Authorities in townships throughout the Transvaal."

Is that in accordance with the UDF policy? -- Well this is just a statement. I do not, I cannot really know, I do not know exactly why counsel says it is the policy there, this (20) is just a ...

Is it not the policy of the UDF of resistance against Black Local Authorities in the townships throughout the Transvaal? -- That is correct but here the sentence that counsel has just read speaks of heightened resistance and I am asked to comment whether that is UDF policy. I find it very difficult to comment to this. The sentence becomes vague.

And is not the perception of the UDF that the resistance has varied from spontaneous protest to five month long (30)

boycott/....

boycott of rent increases by over 300 000 households in the Vaal triangle. Is that regarded by the UDF as the position? -- Certainly not. As far as I am concerned UDF has never conducted a research to find out how many people were resisting in the Vaal. Up to the time of my term of office that had never been done.

C.971 Never any investigation in the Vaal of what was going on, by the UDF? -- Not the numbers of the people who were resisting. Now I think this statement would be incorrect for that unless if someone else did it independent of the UDF (10) because no structure of the UDF had ever taken a decision to compile this kind of statement.

"It has forced over 37 councillors to resign and left Black Local Authorities without a shred of legitimacy in the communities they are supposed to govern." Is that what was claimed by the UDF as well? -- Certainly not. UDF has always appealed to councillors to resign and when they were not in some instances UDF put pressure by boycotting their businesses and so on. Now I do not know the word "forced" in this particular context what it means and I must say I am (20) not a theoretician, unless if I read the document and get the context I may just create a lot of problems.

Is it also claimed and the perception of UDF then that the resignation of the councillors left the Black Local Authorities without a shred of legitimacy?

COURT: Are you going to go through this document and each and every of the 17 000 other documents with this witness word by word, sentence by sentence? The long way as you put it? Because I am not going to allow you.

MR JACOBS: As the Court pleases. I put it to you Mr Molefe (30) that/....

that issues taken up by the SCA and Soweto Area Committee you will find in the appendix to this document, and that is claimed by, which is claimed by the UDF as an achievement of the UDF.

-- I am not aware of any meeting that has adopted or compiled this document and as a result I do not see it as a position paper on anything of the United Democratic Front. That is not to my knowledge.

And on the third page of the appendix there appears the name of Soweto.

COURT: What is the number of the page because we have (10) numbered all these pages?

MR JACOBS: Page 19, I have got a page 19. I was not sure whether ...

COURT: 19?

MR JACOBS: 19.

COURT: And what is the point you are making? -- I put i

MR JACOBS: I put it to you that under the word "Soweto" in the column under "Name" is Soweto, that in Soweto the following organisations are shown there under "Organisation" including Soweto Civic Association and its branches and I put it to (20) you that the issues taken up by them against the Black Local Authorities and the government are insure of councillors, insurance of Mayoral chain, luxury cars, eviction of pensioners, allocation of residential sites to councillors, Mayoral allowances, corruption of councillor Manyosi. If we can pause there for a moment, Councillor Manyosi do you know where he was a councillor? -- No I do not know him.

The next one is refusal of council to allow press at council meetings. The next one is increase in electrical levies, water tariffs increased, clinic fees raised, (30) evictions/....

evictions, water cuts, sale of homes, aid centres, squatters. Those were the issues taken up in the campaign against Black Local Authorities in these areas. -- By who?

Do you accept that ... -- I do not understand, by whom?

By the Soweto Civic Association and the branches of the Soweto Civic Association. -- I do not know. As far as I am concerned the Soweto Civic Association had never reported in the UDF General Council or even in the office in my presence that it is taking up some of these issues, that are mentioned here. (10)

And I put it to you it was reported to the UDF and that is why it is taken up in this report which I put to you was compiled by the UDF? -- I disagree because I have never been in any meeting, unless counsel can refer me to minutes of any meeting of the UDF where this document was presented and adopted.

Yes. You cannot dispute that this document was drawn up by the UDF? Because you do not know. If I understand your evidence correctly? -- If it was adopted and if it was a UDF document most probably I would know. (20)

What do you mean by "adopted"? -- It would be a document, documents are not drawn by all the people. Often an individual will draw a document. It is presented into an organisation, the organisation adopts it then it becomes the document of that particular organisation.

COURT: Yes but now let us just get clarity on the use of the word "adoption". Your secretarial reports were presented to the meetings of the REC? -- That is correct.

Is there anywhere in the minutes the statement that the report is adopted? -- That is correct. (30)

Always?/.....

Always? -- I may not be able to say always but I know that that was the standard procedure.

Well I seem to have missed it then in some instances. I was under the impression that the word "adopted" is not used for all the secretarial reports or other reports dealt with. -- It is possible that that be the case but often after reports were read they would be adopted. Now if this ...

Now looking at this document and knowing that it was found in the UDF offices, correct, in Johannesburg, what can this possibly be? -- It could possibly be a document that (10) has been drawn by someone else. Let us say I decide here in Pretoria to try to compile some kind of a document or maybe a research student from Wits decides to compile a document and then from there he brings it to the UDF office in order to show one of the officials and then it is found there. It is not a UDF document.

MR JACOBS: Do you say that this document is one of those documents brought by somebody else to the UDF offices and it was found there? -- That is not what I am saying. I do not know how this document found its way to Johannesburg. All I (20) saying I was just trying to highlight the possibility.

And do you say that a document that is not formally adopted by the UDF is not a UDF document? -- That is correct. It may be views of an individual member of the UDF but it will not be a UDF document until it is adopted.

So all the UDF News' were they adopted after they were printed? -- No. UDF had as policy where they said, the decision was taken that they will produce UDF New.

Yes but ... -- And therefore UDF News becomes a document of the UDF. The content of the UDF New is something else (30) but/....

but UDF News as a paper becomes a document of the UDF.

Yes, and what about the contents? -- Well the contents would differ in the sense that on some other issues you find that an individual maybe from Hammskraal tells a member of the media committee what is happening in Hammanskraal and that is written in that particular fashion.

What about all reports of achievements of the UDF, all reports of, that was in line with the UDF's policy, that were reported into the UDF News, were they afterwards, after they had been written were they formally again adopted by the (10) UDF, either the National Executive or UDF National and by the General Council of UDF Transvaal or the other provinces when they relate to Regional issues of UDF News? -- For instance if NEC of the UDF meets and then agree that a certain statement has got to be made through UDF News that statement would have been a statement or a position that is reflected by that statement would be a position of the UDF. So it would be an adopted position of the UDF. But if someone else reports for instance to say someone else was killed, in UDF News, by a train somewhere else the UDF cannot adopt that kind of thing. (20)

It is just general news.

COURT: Yes well that is not UDF policy then. -- No that is not UDF policy.

That is a statement of fact or alleged fact. -- Yes.

Can one summarise the position as follows, now you must listen carefully because I may be wrong, and that is if for example in UDF News the position is set out, the policy adopted by a meeting of the NEC and that is a statement of policy. That is the first thing. Secondly the UDF News would contain matters which fall within that policy and are not in (30) conflict/....

conflict with it. That would then still be policy of the UDF though not specifically each word has been agreed upon by the NEC? -- I do not think so.

NOt? -- No. I think when UDF takes a position that we are going to come out with a publication that publication, the policy of the UDF will end where the position has been taken to come out with the publication. The content of the publication will depend on whether it had been discussed by the UDF and approved by the UDF or not. If it, if the content had not been approved by the UDF obviously it cannot be UDF (10) policy.

Well let us put it this way, had a UDF New been published stating on the first page in bold letters "Henceforth the UDF is in favour of Black Local Authorities", what would the UDF have done? -- We will say the report is incorrect.

Immediately? -- Ja, but we would not say it is UDF policy that has ...

Well so is the answer not that if the UDF News is not repudiated on a policy position one can take it that that is the UDF policy? -- With, I am just an ordinary man but my (20) understanding would have been that unless it is specifically minuted the statement comes from the structures of the UDF that is it becomes a UDF policy, but if the statement is made by an individual it cannot be UDF policy unless it can be proved that in fact the UDF decided to adopt that particular position that is reflected in the UDF News.

How does the normal reader of the newspaper know that it has been formally adopted at an NEC meeting? -- That is my position because I say news in general, they do not necessarily reflect the policy of the publisher of the document that (30) carries/....

carries those news, in my own view. I do not know, I am not a legal person. I might be wrong. I am saying not necessarily so, that is not necessarily the position unless if it is clearly made that in fact what is reflected, the content of this paper had, comes, emanates from the structure that produced this paper or the content of this paper has been discussed and the position has been taken as reflected in the paper.

What we are now discussing is not news of an ordinary nature like somebody fell off his horse. What we are discussing is news from the presentation of which or from the content (10) of which one can determine that it is a policy matter of the UDF. -- Even in that sense because people are fond of exaggerating from time to time. Now their exaggeration cannot be the policy of the organisation. Let us say I go to a Media committee or I meet a media committee member of the United Democratic Front. I say in Pretoria we have got 600 organisations. The man takes that statement in good faith and publishes it, you know. Obviously it would not be taken that UDF has got 600 affiliates in Pretoria because it has been so published. You see because other people do exaggerate things, you (20) know. Now because of that I think unless the position has been really discussed by the structure of the organisation it cannot be taken as the position of the organisation. That is my view. I cannot take it any further than that.

MR JACOBS: Mr Chikane do you mean then that if the UDF initially adopted the policy and that same policy is restated afterwards in any document professing to be a UDF document with other items with it then you say that is not UDF policy? -- No I am not saying so.

Because it is not again formally adopted? -- I am not (30)

saying/....

saying so. All I am saying is that that particular things have got to be seen in a particular context because even when I am stating a UDF policy I can either exaggerate it and if I do exaggerate it therefore it is no longer a true UDF policy as far as I can see it, you know.

So just to take another example, W., these handbooks issued by the UDF on, W.52 and 53. They were not formally adopted again by the UDF either REgional or National in a formal meeting, is that correct? -- No as far as I am concerned in the Transvaal they were adopted. . (10)

Has the finished product been laid before the ... -- That is the position.

When was that Mr Chikane or can you show us the minutes of that meeting? -- Unfortunately we do not have all the minutes of the Transvaal here with us but if my memory serves me well these documents were discussed before they were sent into organisations and then we said they are correct and that is how we wanted them to be and we adopted them.

And EXHIBIT A.1, this document, was it adopted formally by the UDF? -- The content of EXHIBIT 1 came after I was, (20) I mean it was compiled from the look of things up to the time that I was elected as secretary of the region. As far as I am concerned in the Transvaal it was taken to be a UDF document but I do not remember if specifically they adopted, they discussed and adopted it in my presence.

No but you were a member of the National Executive of the UDF? -- I only became a member of the National Executive on 15 October.

Yes, your name appears in it as a member of the National Executive? -- That is correct. (30)

So/....

So it must have been printed after you became a member of the National Executive? -- That is correct.

So was it formally adopted by the UDF as no exaggeration and this is the policy of the UDF? -- That is what ought to have happened but I cannot remember.

No not ought Mr ... -- I cannot remember.

COURT: Well if it was one would expect it in the minutes?
-- That is correct.

So it was not? -- No not to my, I cannot remember it.

MR JACOBS: Mr Chikane the Daleside Workshop, the minutes (10) of that workshop, that is EXHIBIT U.4(a). Are you satisfied that that is a correct reflection of what took place on that specific workshop? -- I am satisfied that they highlight the general aspects of what took place at that workshop.

Now I just want to skip some of the things and I will come back later to certain but one point that I must bring in here now. Mr Chikane the Education Committee of the UDF it was a very important committee is it correct? -- I do not know what the word very important means. But it was one of the committees that was set up by the UDF. (20)

COURT: Was its name Education Committee or Education and Training Committee? What was the name? -- It was supposed to be Training Committee but as time goes on people added Education and we just used this word interchangeably.

Was it called "Training Committee" or "Education Committee" or "Education and Training Committee"? -- I remember when it was first started it was called the Training Committee and then as time goes on people said you know Training Committee would run the education section and then from there they would say Education and Training Committee would do that, and (30)
then/....

then it just, those names were just used interchangeably as I say. And I myself have used them.

MR JACOBS: Now do you know who first brought up the idea of setting up a Training or Training and Education Committee? -- I saw it in some minutes. I cannot remember the exhibit but in fact it was a suggestion either in a National Secretariat or an NSC meeting. I cannot remember now.

COURT: Was it suggested that each region should form such a committee? -- That is correct.

MR JACOBS: Now I would like to refer you to EXHIBIT E.1 (10) in this connection. -- I have got it now.

That is a minute of the UDF NEC meeting held on 5 and 6 November 1983 at the Jiswa Centre, Lenasia, Johannesburg. -- That is correct.

And you ... -- And I was present in these minutes.

Officially? -- Officially.

Now will you have a look at page 6 and, or paragraph 6.1.6.3 under the heading "Training". -- Point 6?

6.1.6.3. On page, I have numbered mine ... -- I have got it. (20)

It reads, under the heading "Training":

"It was decided that the National Secretariat must recommend that regions set up training committees. The task of the committees, amongst others, would be to identify areas where the training is needed, plan programmes which would include the UDF documents."

-- That is correct.

Now why was it necessary for the UDF National Executive to, what was discussed and what was the reason for putting up the training committees? -- I cannot pretend to be remembering (30) the/....

the details of the discussion but all I can say is that at that particular stage it was not important that some kind of structure be set by regions in order to explain the UDF documents and UDF policies and to help organisations in whatever manner with skills in order to strengthen themselves because without that UDF would have been weaker because UDF is nothing without its affiliates.

Do you agree Mr Chikane that from the NEC of the UDF they got a mandate, an open mandate to plan programmes? -- I do not understand the question. (10)

There is a mandate given to the Training Committee to plan programmes, is that correct? It stands there? -- As far as I understand this passage it was that Regions have got to set up training committees and then if regions set, obviously if regions set up those training committees those training committees would be accountable to the regions.

Yes.

COURT: Is this now where the workshops originated, from this initiative of the UDF National? -- As far as my memory serves me that is the case. (20)

MR JACOBS: How do you explain then in the light of what you have said now the following:

"The task of the committees, amongst others, would be to identify areas where training is needed, plan programmes which include the UDF documents."

-- That is correct, I agree with this.

So they received an open mandate from the National Executive of the UDF to plan programmes? -- Yes and what programmes that are referred here it is educational programmes or a programme to make affiliates to understand these UDF documents./.... (30)

documents. So that is how I understand it. It is not just a programme vague as it is, it is a programme that would be able to assist these organisations to benefit one way or the other. Another programme to, in these instances in fact I believe they were saying programmes to make people to understand the documents of the UDF.

Is that the only reason why the Training committee was set up, to make people to understand the documents of the UDF? -- Inasfar as this goes I understand it this way.

Now which documents are referred to here? -- It will (10) be the Declaration, Working Principles and possibly even that A.1 because it is documents, or even UDF News, any other documents that is published by the UDF. Things like million signature, a volunteer's handbook, an organisers handbook.

Now Mr Chikane was this, I suppose this instruction was carried out by the Transvaal region of the UDF? -- Yes that recommendation was carried out.

And who did they appoint? -- I was appointed to set up that committee.

Set up to appoint what? -- To set up the committee. (20)

Is that because of your special knowledge of, previous knowledge of conducting workshops? -- Most probably yes because I was working as a field worker for the Catholic Bishops Conference and I was working for Community and Resource Information Centre. I think that could be what had influenced the RAC to appoint me.

And is it also important that the person in charge of the Education and Training, or Training Committee, to be fully conversant with the UDF policies? -- That is correct but of course people have got their own shortcomings but that is (30)

what/....

what is expected.

And was it important also, as part of the duties of the committee, the Training and Education Committee to convey the policies of UDF to the people they were training? -- That is correct.

And you appointed a committee? -- That is correct.

What criteria did you use in appointing the members of this committee, were they also to be people fully conversant with the policy of the UDF? -- No mainly the criteria at this stage was a particular skill that may be needed by the (10) committee. For instance I approached people who have got some kind of legal knowledge, I approached people who have got experience in organisations, I approached ...

Let us take it slower. Experience in the organisations. What experience do you refer to? -- Well because I knew that we had for instance civic associations and trade unions as affiliates. You approach a person who has got a much clearer knowledge of how those organisations operate.

Yes. They have a clearer, if I understand it correctly they have a clear knowledge of how civics work, how unions (20) work? -- That is what I think they have, I will approach them when I think they have that.

Yes, what else? -- If I think that there are people who have got some kind of experience to work with people now.

No but I do not want to generally know. Did you use in a specific case when you appointed the members? -- Yes I needed people who have got knowledge of how to work with people or organisations.

Yes. And ... -- That will be all, and then from there we will sit and discuss the UDF policy. (30)

Now/....

Now the people that you appointed from which organisations did you draw them? -- Of course they had to be members of the affiliated organisations.

But I want to know from which organisations. -- I appointed Mahomed Bham from TIC, Amos Masondo from GAWU and Soweto Civic Association.

Amos Masondo from? -- GAWU, that is General Workers Union, and Soweto Civic Association, and this man had worked with the union for quite a long time.

Yes? -- And I appointed Benita who was working for ... (10)
COURT: Just give us her surname? -- Oh the surname.

You are the only one to be able to pronounce it properly. What is her surname? -- No if My Lord meant that I am sorry. I do not know how to pronounce it.

Oh I thought we would have an expert opinion now on Benita's surname. -- I used to call her Percivic, that is what I used to call it.

No I think we should rather not put that on record. Yes very well what was her expertise? -- She was working for human awareness programme and they specialise in running (20) workshops for human relations, especially between Black people and White people and they are based in Johannesburg. Human awareness programmes.

MR JACOBS: Is this Human Awareness Programmes also, was it affiliated to the UDF? -- No he was a member of JODAC. I was mentioning this because of the skills.

And then Mike Roussos.

COURT: Sorry? -- Mike Roussos.

Mike Roussos. -- Mike Roussos is a person who has been connected, I knew him for years he has been connected with (30)
the/...

the YCS. That is Young Christian Students, and he had experience to deal with people, as far as I am concerned he was quite experienced in that field, I had no doubt in my mind.

COURT: Was the YCS affiliated to you? -- That is correct. And of course he was a member of JODAC again. And then later we approached Mr Peter Harris who is an attorney.

Yes now we know how one sets about forming a committee Mr Jacobs. Where have we got? What is the destination? At what stage are we on the journey? (10)

MR JACOBS: I am going on to the, if these people were thoroughly conversant with the, they were the people who conducted workshops later on and whether they were thoroughly conversant with UDF policy in order to convey it over to the people.

COURT: Well put it to the witness.

MR JACOBS: Is it correct Mr Chikane that these people were all conversant, thoroughly conversant with the policy of the UDF in order to convey it over to the people and the activists they were to train? -- That was what was expected. (20) As I have already said that people have got weaknesses, that was what was expected.

And all the workshops that they, and was it the specific duty of this committee to conduct workshops in order to train activists? -- Say to be, to try to enable activists to understand the important documents of the UDF, the declaration, the working principles and of course from time to time affiliates requested UDF to conduct the workshops for a specific purpose. Maybe they want to set up distribution committees in their area then they will maybe ask the UDF to conduct (30) that/....

that kind of thing, I am just giving an example, I am not saying this had happened. Therefore the committee would be put in a position where it has to tailor the workshop in a manner that it can accommodate this request by their affiliate. So workshops differ from each other.

Now I would like to refer you to EXHIBIT T.21.

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

MR JACOBS: It was found with Lucille Meyer, L. Meyer, in East London. -- I have never seen this document before.

It is a secretarial report, is it correct? -- Yes but (10) every region had its own secretary that was, or secretaries that were presenting secretariat report for those regions and I do not know whether this maybe was presented in East London by the secretaries of the East London region of the UDF, I do not know. But I have never seen it before, that is for sure.

There is a statement on page 1, the second last paragraph:

"The Black Authorities will be under protest and workshops have been arranged in the Transvaal to organise united strategies on resisting them."

-- I see the paragraph. (20)

Is that a correct reflection of what did happen Mr Chikane?

-- No as far as I am concerned I do not know about this kind of arrangement and I do not know about this document.

No but were workshops arranged in the Transvaal to organise united strategies on resisting Black Local Authorities?

-- No. As far as I am concerned Black Local Authorities was one of the issues that was going to be taken by joint union meetings that had been postponed several times, in fact until I left the office of the United Democratic Front that had not taken place. So I do not remember this particular issue (30)

being/....

being referred to the Transvaal.

COURT: Did you attend the National Secretariat meeting in Durban on 12 January 1985? -- It is possible but I cannot remember now.

Because this is what was discussed according to this report, if the report is correct, at that meeting. -- Most probably I did but I must then caution the Court that often people do not write what is discussed, people try to summarise a discussion and at times you find that the wording is very inaccurate. I can give you an example to this what I am (10) saying. If the Court would go through J.1 and look at the report that was compiled by the Acting General Secretary there is a portion where he speaks about worker militancy and so on. That has emanated from the report that was presented in that particular meeting. If you look at the report you will find that in fact those words do not appear. So summaries have got those dangers and I want to say that as far as I know the Transvaal was never given this kind of responsibility.

MR JACOBS: And I put it to you also Mr Chikane that it was part of the programme of action of UDF to educate and train (20) and to organise, and to provide organisational skills, deepen understanding and to heighten the political consciousness of the mass, it was part of the programme of action of the UDF, to educate and train? -- That is correct, we wanted to educate, we wanted people to understand our political viewpoints and then we wanted people to learn how to organise more effectively so that UDF can be strengthened.

Yes, and is it correct that it was the duty of the Education or Training Committee to educate, train and provide organisational skills to the activists who must attend (30) workshops/....

workshops so that they can go out and do it outside amongst the people? -- First let me say it was the desire of UDF that those things must be done but the job was allocated to a far much wider group than the Training Committee. For instance MSC Committee(?) was a committee that has got to train people on how to go around collecting signatures, they organised a workshop for that particular thing you know. You had a media committee that will try to train people on how to develop skills to compile a newsletter, you know. And then we had a training committee that will take a specific issue per (10) request of affiliated organisations. So it is not a responsibility of a single committee and of course from time to time there will be debate in the General Council that contributed to the understanding of our membership. So what I am saying is that this cannot be limited to one committee. It is something that is so general within the UDF as I have tried to portray it now.

Yes, but Mr Chikane I am just interested now in the duties of this specific Education and Training Committee. What were their duties? -- Well their duties were to try, as far as I (20) remember in the Transvaal they said the duty of the committee was to be to try to arrange workshops for areas that have not been covered by other committees, that is area committees, this Training committee for instance would not go and arrange a Media Workshop because we had a Media Committee to do so. Now as I said every programme was designed, because of the needs that had arisen at that particular time. We did not have a standard programme.

And I put it to you Mr Chikane that it was part of the programme of action in the Transvaal for instance, and will (30)

you/....

you have a look at EXHIBIT AM.1. There is a programme action for the period September, October, November 1983. That was at the time when you were asked ... -- Pardon I did not ...

EXHIBIT AM.1, I think it is only one volume, volume 1. AM.1 the first document. -- Oh I see.

COURT: Where was this found?

MR JACOBS: UDF offices, Khotso House, Johannesburg. The heading of this document, to identify it, "United Democratic Front, Transvaal - Programme of Action for September, October, November 1983". -- That is correct. I have seen this docu- (10)
ment before.

You know this document? -- That is correct.

Is that the programme of action for this period of the UDF Transvaal? -- That is correct.

Now there is an introductory note:

"In implementing the programme of action (POA) the following aims must be taken into account

1. To defeat the government's attempts to impose the Koornhof and Constitutional proposals.
 2. To strive for the maximum possible unity of worker, (20) community, student, women's, youth, religious organisations for this purpose.
 3. To unite our people in action.
 4. To counter the government's propaganda onslaught.
 5. To consolidate and strengthen the existing grass roots and other organisations of the people.
 6. To link the Koornhof and constitutional proposals to the day to day struggles of our people.
- To popularise the UDF declaration."

And then B:

(30)

"Programme/....

"Programme of Action.

1. Workshop for volunteers in all areas."

So as part of the programme of action it was the duty of workshops to aim to the above seven aims and to carry that over to the people that they were training, how to achieve that? -- This document in fact supports what I was saying and on this question of workshops nowhere does it refer to one committee. All I was saying was that it is true that UDF's aims are as I have tried to outline in brief and I agree that in fact they are reflected in this document much more (10) articulately. And when they talk about workshops they aren't talking about the work of one committee, they are talking about the work of committees, work of affiliates. Even affiliates could arrange their own workshop and invite UDF speakers to maybe render an item. That is what I was saying.

I put it to you Mr Chikane that you are evading my question because I put it to you I am only interested at this moment there, I agree there were a lot of other workshops but your committee, your Education and Training Committee had to conduct workshops and convey the aims set out above to the activists (20) whom they trained? -- If these aims would be relevant to that particular workshop yes. As I said workshops differed because it depends on the reasons why that particular workshop is organised. I cannot personally remember where we had a workshop where for instance we took all these things together systematically.

And I put it to you also, to cut it short Mr Chikane that when they trained activists they must train them and make them conversant, fully conversant, with the policy of the UDF so that they can act in accordance with the UDF policy? -- That is (30)

the/....

the aim. But whether they succeeded one cannot say. But certainly that was the aim.

Tell me Mr Chikane which was the first workshop after you formed the Education Committee that your committee held?
-- My committee only held two workshops. One was in November 1983 in Krugersdorp.

COURT: At the request of KRO held at Kagiso. Do you want to know anything more? We have had all this.

MR JACOBS: And the second one is the Daleside ...-- That is correct. (10)

Are you sure that is the second one? -- That is the second one.

Was not the Daleside the first one? -- No it was not.

Did you extend the numbers of your Education and Training Committee at a later stage Mr Chikane? -- No but from time to time we would maybe request members, particular members of organisations who have either got a responsibility or a particular scheme to come and assist in a workshop and therefore they will form a facilitating team, part of the facilitating team. (20)

Mr Chikane did you not divide it in separate sub-committees?
-- I think that was a proposal in this workshop but in fact it was never carried out. We were saying because of practical problems maybe at a later stage it will be important that we set up different committees in different areas so that people can organise their own workshops and then, so you would have had a much more wider, instead of this small committee they would have committees spread all over where we had affiliates.

Now you have identified EXHIBIT AB.2, the report from (30)

UDF/...

UDF Transvaal Education Committee to the UDF Transvaal Executive. -- That is correct.

That was yesterday. -- That is correct. I do not, what was the question?

You have identified it already yesterday? -- That is correct.

AB.2.

COURT: Do you want us to get it out?

MR JACOBS: Yes sir, I will ask you to. On page 2 of that, no it starts on page 1 the last paragraph under "Structures". (10) -- I am still trying to find it.

AB.2 have you got that, the first page, oh sorry. -- That is fine, I have found it.

The first is there under "Structures":

"The committee was to focus on a range of different areas that require some educational input. The committee would consist of one person who was in charge of the area. He would recruit other comrades to assist him/her on a sub-committee focussing on the area. The areas decided on at that stage were as follows:" (20)

This "areas" is not referring to certain places, other places but it is on another basis "areas" is it correct? The one areas is information:

"This group would collect information on say ..."

COURT: Yes you need not read it. The committee was as follows, it says at the bottom information so and so, organising hand outs, rural areas, skills and the co-ordinator. Now what is the point you want to make?

MR JACOBS: Who were the other people adopted and asked to assist in each of these areas? -- Well there were no people (30)

but/....

but we members of the committee at that particular stage, in fact this happened even before this report was compiled, the idea was that every member of this committee has got to have a specific responsibility and that is clearly indicated in I think the third paragraph there. Now all we are trying to do is that when a need arises for instance of information, you know, we can contact Mahomed Bham who would, his duty, make sure that it would become his duty to try to consult and to get whatever necessary materials and persons to conduct that particular event. This is all we are saying. (10)

COURT: Why did you need an attorney for the rural areas? -- At that particular stage ...

Did he have the best car? -- Not exactly. Of course he had a BMW which is not very good for the rural areas. But I think he was, you know he grew up in some small town in ...

He could speak Afrikaans. -- As you go to Northern Transvaal. I am not quite sure whether it is Warmbad or a town thereafter. So he has got some kind of understanding of the rural life and besides he has got the legal training, you know we do not know this in terms of rural life because (20) most of us grew in urban areas. I have got a little bit because I grew in Pietersburg. And that was the purpose. And at times people would just volunteer to take a particular responsibility.

MR JACOBS: So Mr Chikane there is one group or area that, under the heading of "Handouts". -- That is correct.

Now this group would focus on producing the various handouts that the committee would require for its education section. -- That is correct.

Is that publications? -- Handouts would be pamphlets (30)

and/....

and maybe, let us say you are going, you know that you are going to handle Black Local Authorities then you will compile some kind of a simplified document, a document that explained that particular Act so that you can give to people as you get to the workshop. That is how it used to work and that is what we meant. And at times you may need particular data, after collecting the data you will need someone else who would be able to put it in a document and, simplified documents depending on the participants of the workshop. So that when they go there you can be able to leave them with something to (10) read thereafter. That is what is meant.

Mr Chikane for the two workshops held by the Education and Training Committee were handouts compiled for the purpose of the two workshops? -- If I remember it says, well the first one in November 1983 did not have handouts, it may well that they had handouts from other organisations but I cannot remember. But the second one certainly we had a handout on Black Local Authorities, and I think it is part of the U series.

COURT: Yes it is before Court. -- Thank you. (20)

MR JACOBS: And is it then correct that the Education Committee, Education and Training Committee compiled, did compile documents for use in the UDF ... -- Did compile handouts that were specifically needed for a workshop. That is correct. But it did not just compile documents in general.

Now Mr Chikane when the Daleside Workshop was held why did you not go to that even if it was only at the start of the workshop? It was your first, if I can put it, earnest endeavour? -- Initially I intended to go, in fact I was going to go on Saturday but because I did not really have any specified (30) role/....

role that I was going to play, you know, when Saturday came I think I just lacked motivation and I knew that people who were there would be able to handle whatever is needed.

Was it not necessary for you as a person who knew the policy of the UDF to see to it that it is carried out, that the people is, that only the policy of the UDF is conveyed to the people attending the workshop? -- These committees composed of people who have been, who are members of affiliated organisations and who have been active in the UDF structures for a long time and I knew that they understand the policies of (10) the UDF. I had no doubt about that.

Now who asked for the, on whose request was this Daleside workshop held? -- As far as my memory serves me it was KRO and then later the Vaal Civic Association. I think there were a couple of organisations that had requested a workshop of that nature in the UDF General Council. But I remember these two specifically.

You see because on page ...

ASSESSOR (MR KRUGEL): KRO and Vaal? -- Yes KRO and the Vaal Civic Association. (20)

MR JACOBS: That is the Daleside workshop? -- That is correct.

You see on page 2 of that exhibit, AB.2 it is stated:

"We decided to start with an event for people from civics as a request had already been made by one civic in the Vaal area and various others had expressed a need of some sort."

-- Where are you reading, I think I am lost?

On page 2. -- Page 2 of EXHIBIT AB.2?

Ja. The second last paragraph. -- Oh I see that, thanks.

"In the Vaal area and various others had expressed a (30) need/....

need of some sort. We set a date for the end of March. This eventually had to be postponed for a month because the invitations were not done properly. The seminar then tookplace over the weekend of 27 and 28 and 29 of April and was a great success. See the attached report."

Now I see nothing here that the SCA did ask for this? -- If we read this thing this person says, the author "As a request had already been made by one civic in the Vaal area and various others had expressed the need of some sort." (10)

Of some sort? -- Of some sort, yes.

Now because yesterday you told the Court in your evidence that it actually was the SCA who asked for this workshop to be held? -- I mentioned, I remember specifically that I said, I could have said SCA and I mentioned the Vaal Civic Association that was involvd as well.

Now what was the request that you received from these organisations Mr Chikane? -- The organisations needed a workshop where they can be able to try to look, that is evaluate, especially the BLA campaign and then from there plan a (20) programme thereafter. That is after the workshop. They wanted to discuss this broadly in a workshop situation so that when they go back in their various areas they can maybe try to plan some kind of a programme for themselves.

COURT ADJOURNS UNTIL 14h00.

C.972 COURT RESUMES AT 14h00.

MOSES MABOKELA CHIKANE: d.s.s.

FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Chikane I would also like to refer you to W.24. W.24 is in volume 4. That is the last document in volume 4. Have you got it? -- That (30)

is/....

is correct.

I will just identify it, that is the UDF New, National newsletter of the United Democratic Front, Vol. 1 no. 2 of October 1983. -- That is so.

Now on page 3 there is an article "On the MOVE with Transvaal UDF". -- That is correct.

And then the next heading is "Transvaal has plans for a People's programme". -- That is correct.

What is meant by a "People's programme" Mr Chikane? -- I guess it would be the programmes that are going to be (10) carried out by the people, it is very wide that I cannot focus it to any particular issue as it stands here.

You cannot tell what is meant by "People's programme"? -- What I am saying is it is the programmes that are going to be carried out by people. That is general.

Now in that article, the fourth paragraph:

"The committees are holding workshops to educate their members about the UDF and the Koornhof constitution plan. They are also working out a local action programme to spread the word and to link up local problems (20) with the government's plan."

Is that part of the duties of , in this specific case, the Education Committee, to work out a local action programme to spread the word and link up local problems with the goverment's plan? -- May I just be given a chance to go through this. In this article we are referring to much more broader committees than the Training Committee, they are speaking about committees that would be composed of workers and official organisations, youth groups, that is reading from what I would call the third paragraph, starting with "These youth, workers organs and (30) political/...

political bodies, and organising these committees", that is the committee was going to be comprised of different organisations that have affiliated with the UDF.

Now what committees are referred to here Mr Chikane? So that we get it clear. -- Well let us say people wanted to collect a million signatures, then you appeal to affiliates from these organisations to form a particular committee to go and conduct a blitz. Then you have a committee in that particular instance.

Mr Chikane just a minute, this was issued during October (10) 1983. -- That is correct.

And at that stage there was no million signature campaign. -- I was just giving an example.

No, then give you example at this point in time please. -- Okay. Let us say people wanted to distribute this very same copy of the UDF News. Then you form committees composed of members of these organisations that are mentioned here to go into an area, you see. That could be one of the committees. What I was saying is that in fact this did not refer specifically to Education or Training Committees, it is far much (20) broader.

Now Mr Chikane can you tell the Court will a committee that is only distributing the UDF News as you said, will they are also working out a local action programme to spread the word and to link up local problems with the government's plan? -- No. Only I feel here, as I say, it is very broad. This includes even possibly committees that were planning local programmes for instance, you know.

That is why I asked you Mr Chikane specifically about the Education Committee. Was it one of the committees referred (30)

to/....

to here and that it was part of their duty to work out local action programmes and to spread the word ...

COURT: Just a moment, let us read the whole article. If you look at the second paragraph it says:

"Across the province UDF affiliates, supporters, are setting up area committees. Service, youth groups, workers organs and political bodies are organising these committees."

-- That is correct.

These are the committees which are referred to. And (10) then the article deals with these committees and then in the third column it says the area committees are also trying to bring, etcetera, etcetera, into the activity. So committees are set up which are called area committees. Are these now the area committees to which we have referred just before the adjournment? -- That is correct. Thank you My Lord.

MR JACOBS: Now when you, before you conducted and after you received a request from the people to hold the Daleside Workshop did you and your committee discuss, beforehand discuss how you were going to conduct this workshop? -- That is (20) correct, we drew a general programme for the workshop and that would be the programme that was included in the letter of invitation to organisations.

Did you discuss the fact that because it was civics who were to be invited to this workshop that you would concentrate on Black Local Authorities? -- No that came as a request to the General Council by the organisations that were asking us to get this workshop together. It was not an issue that was discussed and agreed by the committee there in isolation. It was an issue that emanated from the request for this particular(3 workshop/....

workshop. From the organisations that needed it.

So from the start it was to be a workshop based on the Black Local Authorities? -- That is how I understood the request that was made to the General Council.

And when you did your planning ... -- It included the BLA.

And when you did your planning you planned how to conduct this workshop with the focus on Black Local Authorities? -- Amongst other things yes, Black Local Authorities was going to be discussed but that was not the only issue. For instance (10) if you look at the last portion of the workshop you find that the skills session, which is just a session that is independent of Black Local Authorities you know. What I am trying to say is that the Black Local Authorities was one of the issues that was going to be discussed. It was not the issue so to say, for the workshop.

And did you plan this, how to convey the message to the people who attend it how the, how you can link up Black Local Authorities to other issues? -- We did not really plan it to the finer details because in a workshop situation the trend (20) and the tempo of the discussion is determined by the participants. You cannot plan that beforehand that from here I will say so or say so, you know. You plan generally and then from there the participants will determine the tempo and even words that are going to, they will use words independent of what you may have had in mind when you planned the workshop.

Did you and the committee then discuss also what possible programme of action can be worked out during the, what are your aims in connection with the programme of action for the implementation of this campaign against Black Local (30)
Authorities/....

Authorities after they finished? -- No, we knew, in fact I remember one of the issues that we stated is that the workshop, it is a not a decision making structure, you cannot take a decision in workshops and I think it is even reflected in this. A workshop is where people discuss issues loosely. You cannot take decisions and you cannot take positions from that fact because most of the people from the workshop, because most of the people who attend workshops would not necessarily be people who carry mandates from their organisations. Decisions can only be taken by organisations, you know. (10)

Are you positive that no decisions can be taken as to how to carry out your campaign based on the policy of the UDF? -- You can suggest ways of how to carry out a campaign, or how to collect signatures but you cannot take a decision in a workshop. As far as we were concerned that was the position.

Now Mr Chikane did you discuss what was the policy of the UDF on the Black Local Authorities to be conveyed to the delegates on the workshop? -- We did not get into those details but I assumed that members of the committee understand the policies of the UDF in regard to the BLA. (20)

I see in EXHIBIT U.4(a), a letter written by you, U.4(a), have you got it? -- I have got it.

I see the second paragraph there:

"The aim of the workshop is to evaluate the anti-Community Council campaign and to look at the road ahead for civic organisation in the continuing struggle against the Local Authorities."

-- That is right.

This campaign was held after the Local Authorities already came into operation? -- That is right. I am talking (30)
about/...

about the anti-Community Councils campaign and continuing struggle against the Local Authorities.

Now Mr Chikane on page 2 of the report itself U.4(b), there it is stated that the issues that civics have taken up include transport boycott, rent, electricity and water prices, anti-Community Council campaign, school problems, for example the high failure rate, housing, the million signature campaign and Women's Day. -- I see that.

You agree that these were also taken up by the SCA, Soweto Civic Association? -- It is possible because these I think (10) were answers that were referred to a question that was marked 4(c) here because as I understood the workshop there was a session where they put the workshop on a newsprint and participants were responding to those questions of exactly what they did. So inasfar as I am concerned because Soweto Civic Association was present it is possible that in fact some of the decisions that are highlighted here came from the Soweto Civic Association.

COURT: What do you mean by putting it on a newsprint? -- You put the question on the newsprint you see. (20)

What is a newsprint? -- A big sheet.

A screen, a sheet? -- A sheet of paper.

Of paper, yes. -- And then maybe you write the question, then you give the participants, you divide them into groups, you give them maybe the same size of a sheet and then on your question, you facilitator you write a question in the paper that is given to them they write answers to that question. Now when you compile a report you are going to say to question no. 1 the participants answered in this particular fashion. Like here my impression is that either group (c) answered in (30) particular/....

particular fashion.

Why does one need a new sheet for that, can you not give each a little bit of paper and say answer question 1 on it?

-- No because they are working as a group.

So each writes on that big piece of paper? -- No they appoint a scribe, they discuss these issues. At times on a point ...

They are given a news sheet because there is such a lot to be said? -- Yes there is a lot to give you give a news sheet. (10)

And because it is not always factually correct? -- At times, at times it is not really factually correct because at times it becomes on who is influential in the group.

Yes, now I understand. So is this a general method, that you give them a big piece of paper? -- Yes, and they respond to....

Is that what is called a newsprint? -- That is what is called a newsprint.

MR JACOBS: Now Mr ... -- I am sorry, I used my hand and now I closed the page. (20)

COURT: It is at page 2 of U.4(b).

MR JACOBS: Mr Chikane then in U.4(c) I cannot find the name of the organisation KRO. -- That is correct. I did not find it either when I looked through this.

I put it to you that it was not a request from KRO to hold this Daleside Workshop? -- KRO, amongst other organisations, had requested for this workshop. In fact initially we had planned that it will take place at the Wilgespruit Centre in Roodepoort and when I issued the invitation I issued them stating that the workshop will take place there. Now I (30)

think/...

think when we did not get that venue and we ultimately found it in Daleside possibly KRO, otherwise discouraged, could not go for one reason or the other but certainly KRO was among those organisations that has requested for a workshop.

And I see also in this document, this register, that Mr Bokala of the UDF Transvaal Executive also attended this workshop. -- That is correct.

And is he also attending as a person from SCA? -- That is correct. As far as I know he did not get a mandate from the REC, that is the Regional Executive Council, to be present (10) here but it is so that he was a member of REC. So I take it he went there as a member of the Soweto Civic Association, or maybe just as an interested member of the REC.

And then I also see that Mr Ramogopa attended and signed this register and he is from the Committee of Ten? -- I see M. Ramogopa which is Soweto Civic Association.

Yes, and he is also a member of the Executive? -- I am not quite sure, I am not conversant on the Executive.

And then Mr S. Meroyotlhe? -- That is correct, his name appears here. (20)

Was he on the executive of SCA? -- I do not know the members of the executive of SCA, all of them, I cannot really testify to that effect. I do not know exactly who were, I know some of them. For instance I know that Dr Motlana was a member, maybe a couple of people like Pat Lephunya and Amos Masondo were in the executive but some of them I do not know, some of them I do not even know personally. Like this Mr Meroyotlhe, I do not know him personally.

Mr Chikane would you agree that on this workshop the delegates were taught ... (30)

COURT:/.....

COURT: Was this witness there?

MR JACOBS: No sir.

COURT: How should he know then, except by interpreting the document?

MR JACOBS: And he read it afterwards.

COURT: That is nice. So we can read it too. For what are you wasting our time?

MR JACOBS: This report, did you read it afterwards? -- That is correct.

Did you send a copy of that to REC or the Transvaal (10)
General Council? -- No it was only read in the, I took it to
the office and it was read to REC.

And were copies of this..

COURT: How do you mean read to the REC, at the REC meeting?
-- At the REC meeting, in fact I read it.

MR JACOBS: And were copies of the report afterwards sent out
to any other organisations or people? -- No as far as I got to
understand because at this particular stage the person who was
in charge of this workshop was Mr Mike Roussos, he told me that
copies will only be sent to participants per request. (20)

What do you mean by per request? -- That is if those who
participated needed a copy of the report he would send it to
them. But I got a copy for the office from him as well.

Mr Chikane can you explain then copies of this report
was found with Professor I. Mahomed in Johannesburg. -- I do
not know if it was sent to Professor Mahomed, I cannot testify.
I do not know who Mr Roussos sent the copies to.

A copy was found in the possession of Amanda Kwadi in
Soweto. -- I do not know whether it was specifically sent to
him or maybe it was a copy that was sent to the Soweto (30)

Civic/....

Civic Association, which was a participant in this workshop.

This document, EXHIBIT U.4(d) can you tell the court is that one of the handouts? -- U.4 what?

U.4(d). -- (e).

(d).

COURT: What is that, what is the question?

MR JACOBS: U.4(d).

COURT: Yes but what is the question?

MR JACOBS: Is that one of the handouts.

COURT: Yes the evidence was that this was an input at (10)
the Daleside workshop.

MR JACOBS: Now do you know who compiled this report, this document? -- The person who was allocated the responsibility to work on handouts was Mike Roussos, as far as my memory, so if my memory serves me well.

COURT: Are handouts discussion papers or something else? --
Yes those are ...

Could this be a speech which was delivered and also of which a copy was supplied? -- Handouts are documents that are compiled to facilitate discussions in the workshop. (20)
That is if maybe one is going to talk about a particular topic you prepare the major area that one is going to cover so that when you talk people do not get lost of what you are talking about. They are not necessarily....

So this was probably one of the speeches there and it was, this is a summary of a speech? -- This would be the document that covers some points that were mentioned by a person maybe who was handling Black Local Authorities.

MR JACOBS: I put it to you Mr Chikane that these documents and this report was generally distributed by the UDF? (30)

COURT: /....

COURT: Which report, U.4(d) or all the documents together?

MR JACOBS: All the documents.

COURT: All the U.4 documents?

MR JACOBS: Yes. -- I deny that because you know as far as I am concerned the office only got one copy of the report of this workshop and as far as I know the office had no responsibility to distribute this report to anybody else. But I accept that Mike Roussos, who was the co-ordinator of this particular workshop would have distributed it to the participants per request as he told me. (10)

And I put it to you further Mr Chikane that after this workshop, after training the delegates and activists received at this workshop that there was more violence as a result of the campaign in Johannesburg, in Soweto? -- That is completely incorrect. As far as I am concerned this workshop took place in April and I do not know of any violence that took place at that particular time.

No after this, not only directly after but in 1984. -- I cannot understand how counsel relates those violence with this workshop. (20)

And is it, do you agree it is in accordance with UDF policy that Black Local Authorities had to be destroyed? -- Well not, I agree politically yes.

And that was the message conveyed to the people on that workshop? -- I think that is one of the issues that emerged out of the report as I have already highlighted how the reporter compiled this workshop. But as far as I am concerned that did not contain violence.

I would like to refer you to EXHIBIT AM.1.

COURT: Are you leaving this document? (30)

MR JACOBS:/...

MR JACOBS: For the moment sir, I might come back later to it in another context.

COURT: Yes very well. What document are you referring to?

MR JACOBS: AM.1. -- I have got AM.1.

Edele ek sien ek het h verkeerde nota gemaak hierso, ek vra verskoning. Mr Chikane can you tell the Court did you keep a diary in the UDF offices? -- Are we leaving AM.1?

Yes, I am sorry it was the wrong document, my note is wrong here. It is AM.15, I have left out the five. But can you answer me in the meantime. Did you keep a diary in the (10) UDF offices? -- As far as I remember I found that in fact this system had been introduced immediately after I was released in August 1984 from prison, after I was released after the August detention.

Where was this diary kept Mr Chikane, in which office now? -- It was kept on the corridor, in the desk of the administrator of the Transvaal.

And what was the purpose of this diary? -- Because of problems that were created by detentions we wanted people who wanted to, who came into the office to leave a message so (20) that appropriate people can come and check the book and handle whatever problem they can.

Was this diary for both the Regional office of UDF and the National office of UDF? -- I got informed that in fact the diary was initiated by the Transvaal but I am well aware that most probably people who came to the National office could have used it as well. Sorry I do not have AM.15 here.

COURT: No neither have I.

MR JACOBS: Sorry sir, it was because of this mistake.

ASSESSOR (MR KRUGEL): Must we get it out? (30)

MR JACOBS:/.....

MR JACOBS: Yes please.

COURT: What did you call it? Did you call it a diary or did you call it something else? -- I think they called it a record book or something...

A record book? -- Yes.

Very well then we will call it a record book.

MR JACOBS: Or Occurrence Book. -- Or Occurrence Book, yes something along those lines. I cannot remember its specific name let me say, Occurrence Book or Record Book but they gave it some name. (10)

COURT: But it was not called a diary? -- No certainly not a diary because ...

Well what do you want to call it? -- I think Occurrence Book would be much more appropriate.

Well henceforth it is called the Occurrence Book.

MR JACOBS: And was it kept on a daily basis? -- It was left there in the office and then people came and signed as is reflected by AM.15.

Now was this book kept by the person at the desk of the, what you call the administrative secretary? -- In fact it (20) was left on his desk.

COURT: On whose desk was that now, Mr Lephunya? -- That was Mr Lephunya's desk.

MR JACOBS: And where was the phone Mr Chikane? -- The phone, we had a phone, the National office had its own phone in the National Office. The Transvaal office had its own phone in their office later.

In September? -- I did not get the question.

This Occurrence Book started on 12 September 1984? -- In September I think Transvaal had its own phone and National (30)

had/...

had its own phone as well. Both phones were kept in those separate offices, the national phone in the national office, Transvaal phone in the Transvaal office.

MR JACOBS: Now will you have a look at page 3 under the date of 13 September 1984. -- I have got that.

Now there is under the heading or sub-heading "Kliptown", is Kliptown in Soweto, a part of Soweto Civic Association's area? -- Sorry I think so, but you know once I was detained in a police station I think between the Coloured Eldorado Park, outside Soweto and I think that police station was called (10) Kliptown. Now I am not sure whether that area too is Klip-town but I think it was part of Soweto, Soweto had Kliptown as well. Now I did not know whether the area stretched to that police station or maybe there is another Kliptown there.

In the first column next to Kliptown there appears the word "p.m.", is that in the afternoon? -- That is correct.

Now Mr Chikane I will read it:

"Unrest, police use teargas. Problem might spill over to Indian shops. Can we send people there to control the situation. Spoke to Cass, asked him to speak to (20) people in Eldos and see if they can control the situation."

Do you agree that this referred to riots in Kliptown? -- That is correct. In fact let me just correct one point before we go on. I think the police station was Klipspruit, so Kliptown should be the one in Soweto. I accept that. I think there is a Klipspruit Police station.

What do you know about this violence Mr Chikane? -- Nothing. At this particular time this day I was still in prison.

Can you tell us who is Cass, do you know? -- I can just guess but there are so many Cass' in the UDF. There is (30)

Cassim/...

Cassim Saloojee which is often referred to as Cass. There is Cassim Coovadia and there are other Cass' as well in different areas. It is a very common name especially among the Indian community.

Then on the next page, on page 4, under the heading "4.45 Soweto". -- I see that.

"Report just came through that one student has been shot dead, Bongani, at Viola(?). Two others wounded. Ten to 15 injured in Bara Hospital. Ishmail Ayob is phoning Bara to find names. Nurses confirmed that (10) one body had been taken away. No knowledge of other bodies. Ayob will send a lawyer down to Bara and to investigate the circumstances. Will meet up with Glynne Thomas. People information given to R.D.M., Visnews, UPI."

I cannot make out that word,

"France press, Adjeans(?), is that Adjeans, thank you. Will you agree Mr Chikane this also refers to violence that broke out in Soweto? -- I see that it is reported that way.

Now can you assist the Court as the secretary of the (20) Transvaal why Mr Ayob attended to these cases and were they beforehand given instructions or what is the position? -- On this particular day I was in prison and I cannot be able to give finer details of what happened.

Do you know whether Mr Ayob is on standby for the UDF, on general instruction to ... -- No as far as I know the UDF approached different companies of lawyers whenever issues arose. They did not have a standard person who was on standby forever.

Now under the date of the, it seems to me as if it is (30)

the/....

the 18th, that is on page 4, page 5, the next page, on top there is "Date" and then no date is written in but after the first entry there on the side is 18/9/84. Is that the date when it must be followed after this?

COURT: Well we must now watch out because the original has the first portion in blue ink, the date seems to be in black ink and the rest "Federation" etcetera is again in blue ink.

MR JACOBS: Can you assist us in the date there Mr Chikane? -- Honestly I cannot assist you because this method was adopted when I was in prison and even on this particular date I was (10) still in prison, if the date is correct, 18/9/1984.

Now the time given there next to that "Federation, foreign office in Bonn" is 00h30, is it in the night? -- That is what I assume.

Did you keep a person on night duty in the UDF offices Mr Chikane? -- No we did not keep anybody on duty as far as I know but I do not know, as I say on this particular date I was still in prison. I do not know, I cannot explain why it is written that way.

Now there is an entry there: (20)

"Vaal funeral on Saturday 10.30 a.m. Speaker from SCA, FEDSAW, SOYCO, UDF must be arranged."

-- That is correct, that is what is reflected on this document.

How is it then Mr Chikane that for a Vaal funeral that UDF must arrange for speakers from SCA, FEDSAW, SOYCO and UDF?

-- No it does not say the UDF was going to arrange speakers from those areas. All it says is that speakers were to be arranged, speakers from these organisations, including UDF you know. Now I do not know exactly who was going to arrange the speakers, whether the author or somebody else, I cannot (30)

explain./....

explain.

But this was sent in, I put to you, as a request for UDF, it was sent in to UDF as a request that is why it is in this book? -- Most probably. Maybe someone else came there, I am just, I can only make assumptions. Someone else came there on Saturday 10 p.m. and let us say from the Vaal and say look there is going to be this big funeral, there will be speakers needed from these organisations. Or maybe someone else from the UDF received a telephone call or someone else who requested a speaker. I cannot explain the circumstances (10) but what I am querying is that it was speakers that were going to be arranged by the UDF. I am saying the UDF was included amongst the organisations that has got to have speakers. As far as I understand this paragraph.

COURT: Well who reads the book? Who is supposed to read the book? -- The book was supposed to be read by, at this particular stage they appointed a committee.

By the secretary or by a committee of the UDF? -- There was a committee appointed by the UDF Transvaal.

So can one not say that somebody was telling the (20) secretary or the committee of the UDF that this has to be done? -- That is possible. That is possible, but what I am saying is that inasfar as this paragraph goes, because I was not there, as far as I can understand it it does not say UDF was going to arrange that but UDF speakers included, together with other speakers. They speakers from SCA, FEDSAW, SOYCO, UDF and then must stop, must be arranged, then stop.

MR JACOBS: Now on page 16, that is the printed number 16, under the heading or under the date 2 October 1984. -- That is correct, I found the page. (30)

"The/....

"The office was informed that there may be injured people in Soweto yesterday when buses were stoned."

And this seems to be a message that was handed over to you, on the right-hand side there stands "Mos informed". -- That is correct.

Do you agree that this also referred to violence in Soweto? -- That is correct. I remember at this particular stage I was requested to issue statements, even for the area committee, so what would happen is that if anything happens in an area like Soweto they will phone the office so that I (10) can issue the statement and that is as far as it goes.

COURT: And what was the statement to be issued on this?

-- The statement would be that there has been a stoning or whatever.

Did you tell the press then that somebody had stoned a bus? -- Yes we will explain, if it is stoned, if it was an incident of stoning we will explain that.

But why were you acting as a sort of a press information bureau? -- The problem is that we wanted to make sure that the statement issued in the name of the UDF is done in a (20) manner that will satisfy the policy of the organisation. Now if you leave the area committee to issue this they are not really accountable to the General Council structure as such. You are going to find that there are going to be some problems. And therefore I was asked to do that because I was an official of the organisation.

MR JACOBS:

But if I understand your evidence correctly you were nearly always absent from the office Mr Chikane? -- That is correct. That is why it is written in this book that I was informed. It means that when this message came someone (30)

has/....

has informed me, maybe phoned me, wherever I was.

COURT: Well or later on somebody got the book, saw this in the book and informed you? -- That is still possible, but if I was in the office I would have said I received the message or something like that.

MR JACOBS: Now did you issue a press statement on this occasion Mr Chikane? -- I should have, I cannot specifically remember now.

Not should have ... -- I should have.

Now is this all the information you got, that stands (10) here? -- Yes, possibly I would, you know after you got this kind of a message you tried to investigate or to phone other people or the people, your organisations that are operating in that particular area, anybody else who can help you so that you can formulate your statement. So I cannot say this is all I said to the press or I said something, there is more than what appears here or not, I cannot say so.

Why were the buses stoned in Soweto? -- I cannot remember as I stand here now.

COURT: But now why should one want to issue a press state- (20) ment on this fact that somebody hurled a couple of stones at a bus? -- Often even newspapers would phone us to try to find out about particular information, especially where we had affiliates. So in most cases people would just phone us and want to know from us.

MR JACOBS: On the 20th, that is page 7, that is on the opposite side, on 20 September 1984, will you have a look at that, page 7. -- September?

Yes September.

COURT: The previous page. -- Oh. (30)

The/....

The 20th of September?

MR JACOBS: It is on top, there is the date 20/9/84. -- That is correct, I have got it. Edele dit is op die teen blaaie, hierdie een wat in myne is is ingeplak, bladsy 7 is op hierdie.

COURT: These pages are numbered, yes it is not on the opposite page.

MR JACOBS: Page 7. Date 20/9/84:

"Pat phoned to report from the Naledi Civic that the following people had been shot, killed Walter Mokgato.."

Then there is the ... -- I cannot find that. (10)

COURT: Well you will have to go back quite a number of pages.

ASSESSOR (MR KRUGEL): Have you got page 8. -- The next page is dated September 29.

No look for page 8.

COURT: Go back quite a number of pages. -- Yes I have got page 8 now.

ASSESSOR (MR KRUGEL): Mr Chikane's copy has not got a page 7 in it.

MR TIP: My Lord could we make ours available? It has an underlining but no comments. (20)

MR JACOBS: Under the date 20/9/84 and under the time only stands "a.m.". -- That is correct, I can see that.

"Pat phoned to report from the Naledi Civic that the following people had been shot. Killed Walter Mokgato and injured April Motshwene ..."

COURT: Is it relevant for your purposes to read all the names?

MR JACOBS: I put it to you then that according to this there were also violence and riots in Naledi? -- That is correct.

And that is also part of Soweto? -- That is correct. (30)

What/....

What I am disputing is trying to connect this with the workshop. I do not deny that there were incidences of violence at some stage in 1984.

And I will put it to you Mr Chikane that the violence broke out in Soweto as well because of the organising of the people there by people who attended the workshops in order to destroy Black Local Authorities and because of the struggle against the government? -- As far as I am concerned none of the participants in the workshop was arrested and as far as I can remember even injured in the a riot situation. So I (10) deny that these incidents had anything to do with the workshop.

Mr Molefe is it correct that the Vaal Civic Association also attended the Daleside Workshop? -- That is correct, there were members from the Vaal Civic Association.

And I put it to you that violence also erupted during 1984 in the Vaal after organising and campaigning against Black Local Authorities? -- As far as I am concerned violence broke out after Vaal Civic Association had organised a peaceful march and I think this Court had evidence of that sort, a peaceful march, to go to the offices where they were paying (20) rent and then along the way I think they were blocked by the police according to the evidence that we had in this court. And this had nothing to do with the workshop.

And Mr Chikane do you agree that the evidence is also to the effect that early in the morning of 3 September violence broke out and even houses of councillors were attacked and burnt down? -- So we heard. I think, I am being corrected by counsel, so we heard that in fact the violence started before the march, thank you.

And not as a result of the police being in front of (30)
the/....

the march? -- That is correct. In as far as the evidence goes, that is what happened.

ASSESSOR (MR KRUGEL): But this does not seem to have registered at all Mr Chikane, because the uppermost feature in your mind is that the violence was caused by the police stopping a peaceful march. -- I think I was, you know because there were two trends of evidence that were given here. The first trend was that the violence started after the march. Later evidence came which was saying that ...

No, no, the evidence was all along that early in the (10) morning on the 3rd there was violence. Early in the morning before the march even started I think, at the church. -- Yes I think, I do not know where I got ...

We sat for almost a year listening to this evidence. -- I might be wrong but my impression was that initially, either in the indictment or somewhere, it was suggested that violence started after the march but later when evidence was called it was found out that in fact violence started much earlier, before the march. So I might be wrong, I might be wrong.

MR JACOBS: In Alexandra Mr Chikane, do you know in 1984 did (20) violence break out in 1984 in Alexandra? -- I am not quite sure, it is possible. I was not really keeping track of where violence broke out.

Were you not interested in the activities of your affiliated organisations? -- Violence was not the activities of my organisations, that is for sure.

Did not the Alexandra Civic Association organise and campaign against Black Local Authorities also in Alexandra? -- That it did but that did not include violence and as far as I am concerned there was no organised violence by our (30) affiliates./...

affiliates, I deny that.

And do you agree Mr Chikane in conducting the campaign on Black Local Authorities in Alexandra the Alexandra Civic Association did mobilise, organise and politicise the people against Black Local Authorities? -- They embarked on the programme and those aspects that have been highlighted, some of them, may have been included in the programme. But I deny that this included violence.

And Daveyton, do you know which organisation affiliated to UDF, civic organisation came from Daveyton? -- I know that (10) there was ERAPO that was affiliated to the UDF from the East Rand.

And ERAPO did attend this Daleside workshop? -- That is correct, there were people from that. According to this list. I was not there.

Now did ERAPO take up the campaign against Black Local Authorities in Daveyton? -- In fact that is a classical example because as far as East Rand goes the campaign was even taken up by organisations that had nothing to do with the UDF. I know that organisations like FOSATU took up the (20) campaign there. And I agree that ERAPO as well took up that campaign.

And ERAPO is? -- An affiliate.

An affiliate. -- But FOSATU, together with the organisations that are affiliated to it, was not an affiliate of the UDF and I know that they took up this specific campaign as well.

Did not the UDF always try to get other organisations to link up with UDF's affiliates in taking up campaigns or to assist? -- That is correct, we continued persuading (30) organisations/....

organisations but we did not succeed everywhere.

-Do you know whether there was any violence in Daveyton?

-- I do not know. I was not keeping track of violence.

Now Mamelodi, was Mamelodi Action Committee invited to this workshop? -- That is correct.

And you were also a member of the Mamelodi Action Committee?

-- That is correct.

Now did you attend the meetings of Mamelodi Action Committee after the Daleside Workshop? -- No I do not remember attending the meetings. (10)

Now do you know whether in Mamelodi the Action Committee took up your campaign against Black Local Authorities in order to destroy Black Local Authorities? -- In fact the campaign was taken against Black Local Authorities was taken long before this workshop. The workshop was only at the end of April 1984. The campaign against Black Local Authorities was taken as early as 1983, just before the election of the Black Local Authorities.

Mr Chikane correct me if I am wrong, at first it was to oppose the election or the putting into operation of Black Local Authorities, is it correct? Before the elections, to boycott the elections? -- That is correct. (20)

And after that it was altogether a new campaign. Then it changed over to a campaign to destroy the already existing Black Local Authorities? -- But that, what was meant by that was to discredit it politically. It did not include violence.

But was there a change Mr Chikane, that is what I ask you? That is all. -- In fact there was not a coherent position that had been arrived at by UDF or its affiliates sitting together as far as I can remember. (30)

What/....

What do you mean by a coherent position arrived at? -- That is there was no decision taken that as from now we as affiliates of the UDF we are taking this particular position because the election had passed.

So after, is your evidence then to the effect that after the election of the Black Local Authorities, that was in 1983, there was no decision of the UDF to carry on this campaign now as a campaign to destroy the Black Local Authorities? -- There may be some statements to that effect but I am saying there was no coherent position that was taken. We, (10) when I got out of office the UDF was still trying to get the civic organisations together so that they can come out with a programme.

No, but policy. -- With a programme. No the policy of the UDF is non-violent.

It never decided to destroy Black Local Authorities? After the election, that is my question? -- I am saying they intended to discredit politically, to destroy the Black Local Authorities, meaning that they would discredit it politically, and I am saying that UDF and its affiliates, sitting (20) together, has never embarked on a programme to my knowledge, now I am talking about action. The policy that, the idea that this structure would be discredited politically I think that was agreed upon but there was no programme of action after the election that was embarked upon, agreed by the UDF or the UDF General Council or any UDF structure, as far as I can remember.

Now Mr Chikane so that I understand you correctly what do you mean by discredited politically? What does that do? -- It includes, if we can say these people have been (30) elected/...

elected and they promise that they will reduce rent to R5, let them reduce that rent. We told you that these people have got no power and they told you that they can reduce rent to R5, they lied to you and they are not credible people, they are not to be trusted. Discredited them would include where we are saying this particular individual has robbed so and so so much because he promised a business site or he promised a house or something of that sort. Their structure would be destroyed because it would be composed of individuals that have got no credibility, and this is what we meant by (10) that.

Can you tell the Court is it also part of this discrediting of them politically to ask for their resignation? -- I am sorry can you repeat that please?

To ask for their resignation, is that part of the discrediting of the councils politically? -- No we believed that if these structures are discredited then we will ask individuals that would be honest enough to realise that they represent no one or the majority of the people are not supportive of those structures to get out of those structures. (20)

So except for bringing out and depicting them to the people as dishonest and asking for their resignation did the UDF embark on any other activities to get rid of Black Local Authorities, of the councillors? -- It is not only on how they were portrayed by the UDF. We were taking this issue from what they said during their campaigns or the elections.

No Mr Chikane I asked you the policy of the UDF. -- No I wanted to get that point clear first before I attempt to answer the second question because it implies that UDF went out of its way to discredit otherwise honest people. But I am (30) saying/....

saying that is not correct, the correct position is that for instance a person like Tshabalala, when he campaigned he said he is going to reduce the rents of Soweto for R5. Now after the election, and we said it is not possible, Tshabalala cannot reduce the rent to R5. After the election we are saying to the people that this man when he promised that he will be able to reduce the rent to R5 he was dishonest, he was telling a lie. And that is the position. That is the position.

Now it is not something that we have created in order to discredit this particular man. This man has discredited (10) himself because he put himself into that particular position and all we are doing is just to bring that again to the attention of the community. Now I was trying to respond to that. What was the question, the second question? I wanted to get that clear.

My question was was it part of the discrediting of councillors to ask them or to do, was there any decision by the UDF on doing anything else except asking them to resign and discrediting them? -- Yes we said we would embark on a signature campaign in areas in wards, and then if we collect (20) more signatures to ask those people to resign. Again we said we will boycott their businesses until they resign. There may be other smaller suggestions that came into the fore but I cannot remember at this particular stage but certainly there had never been a decision of the UDF to embark on any forms of violence.

Now Mr Chikane do you agree then that there was a change from mere protest to the elections to other actions being taken after the elections? In the policy of the UDF? -- Circumstances changed and we just continued with the old (30) policy/....

policy of not supporting these structures that we have initially boycotted. We did not have to change the policy. The strategy was still one, that we are going to have nothing to do with these structures and after the elections we said now we will show to the people that in fact, or we will bring the promises that these people made to the people so that people can make a better judgment. So there was no change of policy as far as UDF was concerned. The policy of UDF was before the election that they will have nothing to do with those structures and after the election then they (10) embarked on the programme of the boycotts, after the election the UDF embarked on the policy of exposing individuals and discrediting this particular structure politically. Now there was no change of policy as far as I understand it.

And I put it to you it was part of the policy of the UDF to destroy Black Local Authorities? -- Politically. And that did not include violence.

Mr Chikane can you tell the Court, let us go onto this violence question now. Can you tell the Court did, was it part of the UDF policy to set up alternative structures? (20) -- Yes, but these structures would be the structure that would be able to negotiate with those who were in authority. We set up, we were thinking of for instance structures that would be able to collect those signatures into blocks, that would make a lot of people to support the civic associations in those areas and not to support the Councils.

COURT: To collect signatures where? -- In wards.

In wards? -- IN wards, these council wards. And then thereafter we will ask the councillor responsible for that particular ward to resign because we would be having much (30)

more/....

more support than he has. And if those structures set up by the civic association had more support we would be able to appeal to those who are in authority for some kind of negotiations for a better system that would be acceptable to all of us.

MR JACOBS: And what do you mean, what do you understand by an alternative structure? Let us just get it clear. -- Well alternative is not, something different from the structure that is prevalent at that particular stage.

Different from the Black Local Authority? Let us take (10) that, is it correct? -- Yes most probably.

Now this structure that you in the UDF want to set up can you elaborate on that so that we can understand it, what this alternative structure is? -- That is correct, I can merely discuss that. I can give my personal opinion if the Court allows. We have not got into really formulating the structure.

Never? -- Not in details.

Did you discuss it to set up alternative structures? -- Yes we had our civic organisations that were affiliated (20) to the UDF but the UDF has never worked out a structure, that would be alternative to the Black Local Authorities. And I always laboured under the impression that in fact that will come out of the negotiations between the UDF and those who are in authority. Now I have got my own ideas. If the Court allows I can give them.

COURT: If counsel wants to hear that, yes.

MR JACOBS: I will first ask this question sir. Mr Molefe, Mr Chikane you told the Court that the alternative structures must, a few minutes ago, must negotiate? -- That is correct. (30)

So/....

So if that is the case then there must have been some discussion on this alternative structure that must negotiate? -- No. I think there was a misunderstanding there. What I am saying is that when we have completely discredited, politically, these particular structures, the Black Local Authorities, we come up with some kind of a committee made out of maybe organisations or organisations that operate in that particular area. Already you see some kind of a structure. Those people, together with those who are in authority, they can come together, negotiate on the kind of a structure (10) that is acceptable to everybody, that is acceptable to these residents or members of the organisations and acceptable to those in authority, the government.

And is that the only purpose for the alternative structures, to go and negotiate with the government? -- We were saying to the government that these particular structures that you are giving us is inadequate and we are unhappy about it. The Black Local Authorities so to say. So we will go and negotiate about that issue as well, to say look this we are not happy with. (20)

COURT: Well what you were not happy with is that it had not adequate financial clout and that it was still subject to some control by the Minister? -- And it had no land.

And it had no land? -- That is another problem because the first problem that is facing in fact every location is that you need more houses and to be able to build more houses you need more land. That is, if you do not talk about land...

Well that had nothing to do with the structure, it had to do with the Group Areas Act? -- No but if the structure has got power it must be able to be the structure that can (30) function/....

function within all these laws, even the Group Areas Act, if the government wants to maintain that law. You see that is how these problems in the locations are linked up with the policies of the government. Now as soon as you want land you are already transgressing on the Group Areas Act.

MR JACOBS: Mr Chikane you said ...

COURT: Your problem was not the problem of the local authority. Your problem was a problem of national policy? -- Our problem is not that we did not want some structure that can be able to facilitate things in the location. That is not (10) what we wanted, we wanted certain structures, an orderly structure that can be able to take responsibilities of day to day activities of our lives in the area. But what we did not want it is the structure that has got no power to can do anything for us because once you cannot buy land you cannot build houses, once you have got no finances, once you cannot take decisions that structure is useless and that is what we were saying. And that is why we said Black Local Authorities, as it stands now it is definitely inadequate, it is unacceptable to us and the other point of course it was, of course it (20) was presented as an alternative to representation in the highest decision making structures of the country, for us.

MR JACOBS: Mr Chikane tell the Court, did you in the UDF envisage alternative structures for the Black Local Authorities within the townships? -- We in the UDF are very realistic. We knew that change is a process. It is not something, we did not want impossible things. We knew that in order to be able to change things we will have to start somewhere. We were prepared to start even in the townships.

Now is the answer then yes, that you envisaged to set (30)

up/....

up alternative structures for the Black Local Authorities within the townships? -- We were prepared to start to set up structures in the townships but we envisaged the situation where we will be able to set up structures that are acceptable to us and the government, even in broader areas, for instance in towns you know, and so on.

And is it also ...

COURT: But in fact what you are saying is that unless there was a change of general government policy involving inter alia the Group Areas Act there could be no Black Local Authority (10) that functioned? -- No.

Because you also could not set up one that functioned whatever you did? -- No that is incorrect. What I am saying is at this particular stage, because of these shortcomings that were embodied in that particular structure that was given to us the structure was unacceptable, you know. But let us say for instance the structure was given power to buy land, leaving aside the Group Areas Act, it just has got the power to buy land as such. It can take decisions as such. It is given power to take decisions independent of the Minister (20) or anybody else, it just, as a structure it can take decisions.

But now it cannot take a decision independent of the Minister whether there is Ministerial control or not because unless the area is proclaimed under the Group Areas Act there cannot be a township on it. If it was White land it had to be changed to Black land, call it that. So whatever you did it could not get off the ground? -- No initially when these townships were planned my understanding has always been to say that they are planned in what was White land, you know. But during the process those areas occupied by us is White (30) South Africa. Initially Black lands were trust lands inasfar

as/....

as I can understand. And this was done even when the Black Local Authorities was there the law was there, you know. Now it is not a question of the land first. All I am saying is that it was possible to create a structure that would have certain powers, that would be able to function to satisfy certain needs, maybe other needs would be satisfied later through the process of negotiations, but we wanted to start with the structure that would be able to satisfy the immediate problems that we had at that particular time.

Well why did you, if that is so why did you then (10) attempt to discredit that which existed instead of attempting to improve that which existed? -- The problem is that the way it was structured there was no way that you can improve it. How do you improve a structure that has got no power to buy land?

Well why could you not agitate for added powers? -- No, one of our problems is that people who were going in, in those structures, made false promises you know. So it is not, the structure the way it is made could not attract people with credibility within the organisation. It created people.... (20)

No that I have still not understood. Why could you not go into that structure not making false promises and agitating for greater powers for that structure? -- I will explain that if His Lordship will give me some time. I am saying you look at the structure and then you look at, you convince yourself whether you can go in and defend the structure to start with in order to satisfy the residents, in order to win their vote. And once you realise that in this particular structure you will not be able to win the votes if you are an honest man because if you are an honest man you will campaign and say (30)

I/....

I am in this structure that has got no power, that cannot buy land, that cannot solve your daily problems. Therefore you will not get votes you know. But people who do not have, could not care, they go in those structures and they say no do not worry what is written here, we are telling you that once we are in this particular structure we are going to be able to reduce rent to R5, you see. And people vote for them on that particular ticket. We, on the other hand, from the onset we said this structure is unacceptable to us for the say it is structured. Secondly it has attracted people who have got (10) no credibilities, some of them are even liars you know. Now after the election, after these people have been elected on the ticket that they are going to reduce rent, it becomes our responsibility to say our position is still consistent. Initially we said this particular structure has got no power and this is what we said, as shown by this document in the UDF and ...

Now let us accept that, I understand that. -- Okay, and then we go on.

Let us accept now you have totally discredited the (20) structure. Entirely, it does not work anymore, there is just no local authority left. -- That is right.

Now you want to replace it with something. -- Yes.

What do you replace it with? -- No we go to the authorities, we say ...

No you must present a plan. What plan do you present? -- Well we will sit, we will sit together, we will call our organisations together and work out some kind of structure.

Have you never thought of that plan because it still has to be a local authority, it still has to be funded. -- Yes, (30)

that/....

that is correct. That is correct.

And it still has to work within the confines of the existing laws of the country? -- That is correct, we were aware of that.

Now on that basis what would you present? -- If the authorities would have said we abandon the Black Local Authorities make suggestions we would have been quite too happy to do so. You know. But that was not the case.

But you had not thought that far? -- No I was saying to Mr Jacobs previously that I have got my own ideas but UDF (10) has not taken a position. If you ask me I might be able to tell you.

No, no apart from your personal ideas, that may or may not become relevant at some stage but at the moment I am thinking about the position of the UDF. The UDF campaigned for up to two years I think against the Black Local Authorities and you are telling this Court that it still did not have an alternative? -- No, in fact that position was going to be worked out. I think if one looks through the exhibits there was a big meeting of the civics that had been arranged and (20) postponed several times. Initially it was supposed to be arranged by the Durban Region of the UDF and later it was Western Cape and so on. Now to work out those positions obviously you have to bring the affiliates of the UDF who work in the same area and then you will be able to make a proposal.

Now I thought, this is what I thought that amongst other things those group of the civics together they may work towards this particular position.

MR JACOBS: On this question now Mr Chikane I cannot understand why the civics must then go out and work out something. Was (30)

it/....

it not then the UDF, the executive, the policy making body that must work out something and go to the civics and say "This is our plan"? -- It does not function in the way counsel is presenting it. You know UDF, when you want to make a suggestion in the UDF you get the structure that is affected, you cannot, if you want to, and then that structure would make a recommendation to the executive, you know. And the executive would, if that, the recommendation is within the policies of the UDF that recommendation would be adopted. There is no decision that is taken at high level and given to the (10) affiliates. It does not work that way. It works from the affiliates, you know, to the structures of the UDF. Now it had to be the affiliate associations that work out whatever structure they wanted. We could not take, because in our organisation for instance we have trade unions, we have, you cannot say the trade unions would be able to come up with a structure for local authorities, I mean for local administration that would satisfy the residents. It is best to get people who have been involved more or less in that type of work to work out the structures. (20)

COURT: That is appreciated, but one cannot have a civic proposing proposal A in Johannesburg and a civic proposing proposal B in Cape Town, or Port Elizabeth, it just will not work if all these proposals differ. So one has to have an overall sort of plan. -- Yes we were going to bring the civic associations together from all over the country.

MR JACOBS: So was it UDF policy to set up alternatives to the Black Local Authorities? Let us just get it, was it policy? -- In policy we were opposed to this present Black Local Authorities for the reason that I have already mentioned. (30)

But/....

But UDF appreciated that there is a necessity to have a structure, a local structure, local authority so to speak but not in this present form.

Mr Chikane you are not answering my question. It is a simple question. I asked you was it UDF policy to set up alternative structures, inter alia to Black Local Authorities, was it policy? -- No the policy inasfar as I can remember it was we were opposed to this particular structure for what it is. We had not gone to a stage where we say our policy now is to set up a structure. We were saying we were dissatisfied(10) with this particular structure. That is how far we went until I got out of office.

Now when was the first time that you broached the subject of alternative structures in the UDF? -- Inasfar as I can remember, I cannot remember the specific day when that thing was discussed but as I have explained that even when we meant alternative structures we may mean a structure that is going to facilitate the discussion with those who are on authorities. I remember precisely that there is some recommendation in this workshop, U.4, the workshop held in Daleside, about making (20) our civic alternatives, something like that, of that nature.

Can you point it out to me please, let me just see what you are referring to.

COURT: Which one are you referring to? -- U.4(b).

(b)? -- Yes. I think it is not really phrased in the manner that I have said but it is in, that is at page 3.

Page? -- Page 3.

Three. -- It says the next tasks are to destroy the Black Local Authorities and to strengthen our civics. That is the first paragraph in page 3. (30)

MR JACOBS:/....

MR JACOBS: Now can you explain how this, where this referred to alternative structures Mr Molefe? Was it not the policy of the UDF generally, from the start, to strengthen existing bodies and to create new and build up new bodies, organisations? -- No it was to fight all the elements of apartheid in the structures of our communities and together with the government to come up with some acceptable structures, acceptable to both. UDF did not want to create a structure there in the abstract and then from there come and impose it over the people, you know, or force it over the government. We would highlight (10) to the government what is not acceptable to us, you know, and then together we will be able to work out a structure that is acceptable to both, you know. UDF did not have that plan to arrange its own thing somewhere else and impose it over the people or over the government. That was not the intention.

No but I am trying to find out from you, you referred to this paragraph now. -- That is correct.

This sentence. Now I put it to you that as I understood it it was the UDF policy from the beginning to strengthen existing bodies, including civic bodies, and to create new (20) bodies or organisations where none existed and to have them affiliate to UDF? -- Yes that is correct, if that is what counsel means I agree.

And is it not that restatement of that same position here that the next task is to destroy Black Local Authorities and that is in the campaign against Black Local Authorities and at the same time strengthen your civic organisations? -- If it connoted violence I do not know how can you destroy other people and hope still to be around to strengthen other organisations. Obviously if you do that you will get into (30) trouble/....

trouble with the law. But because it is political, because it is political all we are saying is that you discredit this structure and by so doing civic organisations get strengthened. That is the position that this sentence articulated much more clearly than I could. If "destroy" meant violence you cannot hope to strengthen anything there.

Mr Molefe is it also UDF strategy or policy that alternative organisations, alternative structures, had to be developed for educational structures? -- I do not remember UDF taking a policy position on that particular thing, al- (10) ternative structures for education. I know that a commission to investigate the issue of education was appointed under the leadership of Mr Curtis Nkondo but that committee has never reported back as far as I can remember. So ...

And was it the idea then that that commission or committee of Mr Nkondo had to take over the function of controlling education, and Black education? -- No that is incorrect. My understanding was that it is a commission. You know a commission goes around to collect facts and then from there it presents the data to what structure. The structure decides that we (20) adopt either this as our problem because we have got this information. The commission does not necessarily control things. I can be, for example, or for instance other commissions that were set by the government, like the Rickett Commission and so on, they do not control anything. All they do is to investigate that particular thing.

COURT: Have you ever heard of the Commission for Administration? Every civil servant will tell you about that one.

-- Well our development structures, our structures are not so developed to know about all of this. But what we had (30)

in/...

in mind when we talk about this commission is what I am trying to say now.

MR JACOBS: Mr Chikane I put it to you what is meant by the alternative structures is structures in the case of Black Local Authorities that the UDF is working towards setting up structures in the townships to take over the functions of Black Local Authorities? -- Up to the time of my arrest that was not the position.

To set up in the education field, to set up alternative structures to take over the functions of the authorities in (10) control of education today in the government? -- Up to the time of my arrest I know that in terms of education some affiliates of the UDF came together and came up with a document called "Education Charter" but inasfar as I can remember the intention was not to take over the administration of education. If my memory serves me well the Charter was that to try to influence the method in which maybe education is being conducted and to try to campaign for certain aspects that people said were not satisfactory, especially in our communities, in relation to education. It was not to take over administration of (20) education, I deny that.

Now I would like to refer you to EXHIBIT A.1 and I do not know, before that, you have not given us an answer yet, to the Court about when was this question of alternative structures first mentioned in, first decided on or mentioned in the UDF, either regional or national? -- Inasfar as I am concerned if it is in the context that counsel has suggested that has never been discussed in the UDF. I thought when we talk about alternatives we were talking about some kind of structure that can be you know to set up the negotiation processes. (30

COURT: /.....

COURT: No alternative structure means a structure which replaces another structure. -- Yes I know about that, but up to the time of my arrest I do not remember UDF taking a decision on that particular position.

MR JACOBS: Well discussed it. Did the UDF ever discuss such a structure where an alternative to an existing structure to be set up, was it ever discussed? -- Not as far as I can remember. I cannot take a rigid position because I do not know, the UDF is big.

No you yourself Mr Chikane? -- As far as I am concerned, (10) no.

You never discussed.... -- But if you ask me personally I would say certainly not, I do not remember discussing those alternative structures, especially in relation to Black Local Authorities per se.

Did you in any way discuss, not only for Black Local Authorities but to set up any alternative structures in any township or Black place, in the rural areas where Blacks, at any place? -- In relation to Black Local Authorities?

Not only Black Local Authorities. Set up any alter- (20) native structure to be manned by people from UDF or your affiliates as an alternative to any other structure any place? -- No in all these places we encourage our affiliates to form civic associations and if the counsel means that, that is true we did encourage affiliates and individuals that sympathetic to the UDF to form civic associations, if that is what is meant.

No it is not, can ... -- But because there were structures and so on, I do not know how to answer this question.

Can you regard a civic association now as an alternative (30) structure?/....

structure? -- No that is why I say if that is what is meant, I would say we did set up instead of the Community Council, or the Town Council system we had our own civic associations, you know. Now I do not remember any other structure that was set by the UDF or any other intention by the UDF to set a structure other than these that are mentioned in relation to civic politics, if one may call it that.

COURT: Well let me give you an example. In Pretoria there is a Ratepayers Association and there is a Municipality, Town Council. The Ratepayers Association does not intend or try (10) to usurp the functions of the municipality. -- That is so.

What is the position in regard to your civic vis a vis the Town Council? -- Well in our areas we do not have Ratepayers Associations and we only have the local authorities. I guess the Ratepayers Association it would be the association that take into account the interests of the people inasfar as the rates goes in that particular town, you know. Now we do not have those structures and we have only one structure that takes the responsibilities of both, that is the Black Local Authorities, you know, presented by the government. Now we (20) set up the Community Council to oppose that structure that has taken both those responsibilities, that is take the role of the Town Council and the Ratepayers Association.

No, no we are dealing with the context of alternative structures. -- Yes.

So when you are cross-examined on the alternative structures you must bear in mind that counsel wants to know whether you wanted to set up something as an alternative to the existing, the existing being the Black Local Authority which controlled the township and provided services etcetera. Now (30) was/....

was your civic set up to control the township and to provide services, etcetera? -- No that the position.

So it cannot be called an alternative structure? -- No. I understand now. That cannot be called an alternative structure. Thank you My Lord, I think I was confusing the issues.

MR JACOBS: Mr Chikane I would like to refer you to EXHIBIT C.44. Mr Chikane this you identified yesterday as notes kept by you. -- That is correct.

That was in your evidence-in-chief? -- That is correct.

And at page 4 of those notes they start with a heading, (10) there is a heading "United Democratic Front". -- That is correct.

And is it correct that this is a speech given by you? -- That is correct.

Where did you give this speech? -- I gave this speech when there was a meeting of individuals around here in Pretoria, of organisations, individuals coming from organisations.

No but can you be more explicit? What is a meeting of individuals, what do you mean ... -- I think it was Area Committee meetings and there were other people who were not necessarily members of the area committee that came. (20)

So you gave this speech at an area committee meeting? -- That is correct.

Can you remember when it was? -- It should have been somewhere in the middle of 1984, I cannot remember the specific date.

And for what purpose did you deliver this speech in Pretoria at the area committee meeting? -- You know each time new individuals come in the organisations you want them to more or less to understand what the UDF is all about or you adduce as you understand is UDF. (30)

ASSESSOR (MR KRUGEL):/....

ASSESSOR (MR KRUGEL): Well Mr Chikane I gather that you would take, that you intend to convey that you used this speech at more than one meeting, several meetings? -- I think some of the items do appear in, and were used in other places.

Yes your reply was that you used it in meetings of individuals and individuals of the area committees? -- Yes that is possible.

Did you use this, these notes, did you use them on more than one occasion? -- If my memory serves me well I did it in the area committee meetings. (10)

COURT: Meeting, one meeting or meetings? -- One meeting here in Pretoria. If my memory serves me well, it is possible that I could have talked to individuals thereafter but I think the thrust of this speech was meant to be delivered in this one area committee meeting which included people who were not necessarily members of the area committee.

MR JACOBS: Can you tell the Court is it not so that you in actual fact delivered this speech at, in Northern Transvaal, at Pietersburg? -- Well I thought this one was delivered here in Pretoria. I might be wrong. I hope I am not confusing (20) things.

Now in this speech you said ... -- Oh My Lord I think I have confused this. I think I have confused it. This was the one that was delivered possibly in Pietersburg.

COURT: Not at an area committee? -- From the look of things, I have got to get my bearing on this document.

Yes well have a look then. Well it does deal with area committees on page 10, Transvaal UDF has changed its structure to form area committees. These committees have to ensure to continue, something. -- Yes. No I think this one was in (30)

Northern/....

Northern Transvaal because I remember the one that was delivered with that I included the women, I addressed specifically the question of women, so this one was the one that was delivered in ...

Pietersburg. -- On the 3rd January 1985 in Pietersburg.
ASSESSOR (MR KRUGEL): Where in Pietersburg? -- It was in some church, I think it is the Lutheran church. I just forget the name of the area, not very far from Turfloop.

COURT: It cannot be Kransenberg or something? What name ...

MR TIP: I think the document ABA.17 refers to Kransenstein.

COURT: Kransenstein.

MR TIP: Which is a mission, Lutheran mission.

COURT: Is that the one you are referring to, is that in Pietersburg or is that somewhere else? -- No that is in the area of Pietersburg.

Kransenstein. -- Yes. I think that is the position inasfar as I can remember.

MR JACOBS: Now on page 8 Mr Chikane ...

COURT: Well we can do that tomorrow.

COURT ADJOURNS UNTIL 9 OCTOBER 1987.