

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

A

SAAKNOMMER: CC 482/85

PRETORIA

1988-04-25

DIE STAAT teen :

PATRICK MABUYA BALEKA EN 21  
ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST en  
ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS  
ADV. P. FICK  
ADV. H. SMITH

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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HOF HERVAT OP 25 APRIL 1988.

THEBOGO NONYANA, v.o.e. (Deur tolk)

VERDERE KRUISONDERVRAGING DEUR MNR. FICK : Mnr. Nonyana, ons het laas geëindig by die vergadering van 26 Augustus 1984, toe u daar aankom was beskuldigde nr. 11 op daardie stadium besig om die resolusies uit te lees? -- Ja, ek onthou dit.

Die resolusie wat beskuldigde nr. 11 op daardie stadium uitgelees het oor die huur, het hy die resolusie uitgelees dat julle geen huur betaal nie of die verhoogde huur nie betaal nie. Wat het hy uitgelees oor die huur? -- Dit (10) was 'n resolusie wat vanaf die gehoor gekom het dat daar geen huur betaal word alvorens daar samesprekings uitgevoer is nie.

Ek verstaan dan toe u daar aangekom het was beskuldigde nr. 11 besig om die resolusies uit te lees aan die gehoor wat aanvaar is? -- Met my aankoms daar was hy besig om die voorstelle te lees.

En soos hy hulle gelees het, kan ek so vir u vra, is hulle een na die ander aanvaar deur die gehoor of het hy hulle almal gelees en toe het die gehoor gesê hulle stem saam? (20) -- Hy het nie alles deurgelees nie. Hy het 'n voorstel gelees wat dan aanvaar is of bespreek word deur die gehoor.

En hy het so 'n voorstel gelees dat die raadslede sal bedank? -- Ja.

Was daar toe 'n bespreking in die gehoor of deur enigiemand anders oor wie gaan by die raadslede oorneem of wat gaan die posisie wees as raadslede nou bedank? -- Nee.

Ons weet volgens u getuienis het u self ook gepraat? -- Ja.

Hoekom het u nie gevra "Maar as ons nou die raadslede (30)

kry/...

kry om te bedank wie gaan die werk doen?" nie? -- Ek het nie daaromtrent gevra nie, want wat ek in my gedagte gehad het was die volgende, dat as die raadslede bedank, die persone wat die werk gedoen het voor die formulering van die raadslede of die stigting daarvan, sal maar die werk moet oorneem en verder uitvoer.

U het nie daaraan gedink om vir die gehoor te vra of hulle saamstem met hierdie gedagte van u dat dit moet gebeur nie? -- Ek het nie.

Is daar ook 'n resoluëie aanvaar dat julle gaan praat (10) soos julle dit gestel het met die "authorities at Houtkop"? -- Dit is so, ja.

Het julle bespreek wie is hierdie gesag by Houtkop wat julle mee gaan praat, die raadslede of mnr. Ganz of wie? -- Nee, dit weet ek nie.

Maar hoekom het u nie gevra nie? -- Al wat ek geweet het is dat die hoë gesag aangespreek gaan word by Houtkop. Ek het dus aanvaar dat wie ook al dit is wat daarheen sal gaan en met die mense praat sal aangewys word met wie hulle moet gaan praat, wie eintlik die hoogste gesag is van Houtkop. (20) Ek het nie gepraat nie.

Het julle bespreek op hierdie vergadering van 26 Augustus wie gaan praat met die gesag by Houtkop? -- Ja.

Hoe het julle besluit? -- 'n Klompie mense is daar op besluit. Een van hulle was Sekwati gewees.

Hoe groot was hierdie groep wat julle op besluit het wat gaan praat? -- Ek kan nie met sekerheid sê wat die getal was nie. Ek kan dit nie so goed onthou nie, maar ek skat ongeveer tussen ses en agt persone.

Beskuldigde nr. 22, Sekwati, sou hy die voorman wees (30)

van/...

van die groep wat sou gaan? -- Dit weet ek nie. Ek weet nie wie die leier of die voorman sou gewees het nie. Al wat ek weet is dat die persone die mondstuk gaan wees van die gemeenskap.

Het julle eers bespreek of julle enige skriftelike memorandum gaan voorlê aan die gesag by Houtkop? -- Nee, ek weet nie daarvan nie. Al waarvan ek weet is dat samesprekings gevoer moes gewees het met die mense te Houtkop.

Is daar enige resoluëie aanvaar oor besighede wat toe sou gewees het op die dag, '3 September 1984? -- Nee. (10)

Is daar enige resoluëie aanvaar dat daar nie busse of taxi's sou loop die dag van 3 September nie? -- Nee.

Ken u vir Esau Raditsela -- Ek ken hom nie.

U het vir die hof ook gesê daar was 'n verkiesing by die vergadering van 26 Augustus? -- Ja, dit is die waarheid.

Is daar ekstra mense verkies? -- Ekstra mense soos wie?

Kom laat ek vir u so vra. Is daar 'n komitee gekies? -- Ja, dit is so.

Was dit 'n bestaande komitee wat herverkies is? -- Ja, daardie komitee is gekies, maar daar was toe nog mense by (20) gekies, twee of drie.

Weet u wie was hulle wat by gekies was? -- Ja.

Was een se naam Mbai? -- Ek ken nie so 'n persoon met die naam van Mbai nie. Ek het nie van hom gehoor nie.

Die persone wat verkies is, het hulle dit almal aanvaar, die ekstras, om gekies te word? -- Ja, hulle het dit aanvaar.

Ek wil dan met u gaan na 3 September 1984. Die oggend toe u nou opgestaan het van 3 September 1984, hoe het dit vir u gelyk daar in Boipatong? Was hierdie oproep van julle vir 'n wegbly-aksie suksesvol? -- Ja. (30)

Hoe/...

Hoe laat het u opgestaan die oggend? -- Na 07h00.

Pas na 07h00 of wat bedoel u met na 07h00? -- Wat ek daarby bedoel is dit was na 07h00 wat ek opgestaan het.

Voor 07h30? -- Ek is nie seker of dit nou om en by 07h30 was nie, maar dit was na 07h00.

Hoe laat is u by u huis weg na die vierkant toe? -- Ek kan nie die presiese tyd onthou nie, maar dit was voor 08h00.

Vandat u opgestaan het tot u weg is na die vierkant toe, was u in die huis gewees of het u buite rondgeloop? -- Ek was in die huis. (10)

Die straat Mzimvubstraat, is 'n busroete waar die busse ry in en uit Boipatong. Is dit reg? -- Van waar af?

Mzimvubstraat, is dit 'n busroete wat die bus elke dag gebruik in Boipatong? -- Ek het lanklaas 'n bus daar gesien. Ek sien net huurmotors daar na Sebokeng toe.

Ek wil vir u so vra. Voor 3 September 1984 was dit 'n busroete? -- Lank terug het die busse daardie straat gebruik, maar ek kan nou nie sê of dit was tot net voor 3 September nie.

HOF : Nee, maar, laat ons nou net duidelikheid kry. Op 3 (20) September het u busse in daardie straat verwag of nie busse in daardie straat verwag nie? -- Ek het nie 'n bus op 3 September gesien nie.

Ek vra nie of u hom gesien het nie, ek vra of u hom verwag het? -- Ja.

MNR. FICK : Toe u nou uit die huis uit gaan om na hierdie vierkant toe te gaan, was daar huurmotors in die straat, in Mzimvubstraat? -- Ek onthou nie.

Was daar groot groepe mense in Mzimvubstraat? -- Daar was mense in 'n groterige groepe gewees, as 'n mens dit met (30) die/...

die ander daar moes vergelyk, want dit was die dag wat mense nie werk toe gegaan het nie. Dit is juis die rede hoekom daar so baie mense was.

Daar het 'n klomp mense in die straat gestaan voor hulle huise? -- Ja.

Het hulle maar net daar gestaan en kyk wat aangaan of was hulle op pad êrens heen of wat is die posisie? -- Die baie mense wat ek van praat in daardie straat is mense wat uitgegaan het en weggeloop het. Daar was wel mense gewees met klein klompies wat op die straat gestaan het voor die (10) huise.

Die mense wat u nou van praat wat weggeloop het, het hulle in die rigting van die vierkant geloop of in watter rigting het hulle geloop? -- Hulle was op pad soontoe, ja.

U kom toe nou by die vierkant aan. Het u alleen geloop of het u saam met iemand geloop na die vierkant toe? -- Ek was alleen.

Wat het u gemaak toe u by die vierkant gekom het? -- Ek het dieper in die vierkant geloop na die mense toe wat 'n klompie daar was. (20)

U sê in u hoofgetuienis u het toe vir beskuldigde nr. 11 ook daar gesien. Is dit reg? -- Ja.

Was Sekwati alleen? -- Hy was nie alleen nie.

Het u van die mense by hom geken? -- Ja.

Wie was hulle? -- Peter Mohapi was by en mnr. Sotso.

Beskuldigde nr.11 was besig om die mense bymekaar te maak met die doel om hulle toe te spreek? -- Ja.

En het hy hulle toegesprek? -- Ja, so 'n klein rukkie.

Wat het hy vir hulle te sê gehad? -- Wat hy gesê het is kom dat ons nou bymekaar kom, dat ons kan gaan Houtkop (30)

toe/...

toe.

Is dit al? -- Ek weet nie of hy verder meer as dit iets gesê het nie, want ek het toe die geraas gehoor wat my aandag van hom afgetrek het.

Ek stel aan u dat u getuienis dat beskuldigde nr. 11 wou toespreek of toegesprek het is nie die waarheid nie? -- Wat my betref is dit die waarheid.

Ek stel dit aan u, nie eers beskuldigde nr. 11 self het dit vir die hof gesê nie? -- Ek noem dit omdat ek daarvan weet. Dit is wat gebeur het. (10)

U hoor toe daar is 'n lawaai en wat gebeur toe toe u nou kyk? -- Ek sien toe 'n voertuig in Bapedistraat indraai, gevolg deur 'n paar jeugdiges wat klippe gegooi het agter die voertuig.

Toe u hierdie voertuig die eerste keer gesien het, was hy nog in die vierkant of was hy al in Bapedistraat? -- Dit is terwyl die voertuig 'n draai gevat het in Bapedi in.

Hoeveel mense het die voertuig met klippe gegooi? -- Dit was 'n klompie van omtrent twintig persone.

Was dit jeugdiges? -- Ja. (20)

Hoe oud was die jeugdiges sê u? -- Tussen sestien en negentien daar rond.

Toe hierdie voertuig in Bapedistraat weg ry, wat doen hierdie jeugdiges, hierdie groepie? -- Wat gebeur het is, die voertuig het in Bapedi ingedraai, gevolg deur die klompie wat ek genoem het van jeugdiges. Onmiddellik na die voertuig in Bapedi was en hierdie klomp, het 'n groter groep mense vanaf die vierkant dieselfde rigting gevolg in Bapedi in.

Het hulle gestap? -- Hulle het vinnig beweeg. Van hulle het gehardloop. (30)

Hoe/...

Hoe groot was hierdie groep sê u u? -- Hulle was baie.

Meer as honderd? -- Ja, meer as honderd.

En die ander mense wat in die vierkant was, wat maak hulle?

-- 'n Ander groot klomp ook van die vierkant af is in Mzimvubu-straat in.

Gehardloop of hoe? -- Hulle hardloop.

En skreeu hulle? -- Ja.

Het hulle klippe by hulle gehad? -- Nee.

En beskuldigde nr.11, waar was hy op daardie stadium?

-- Toe dit gebeur het dat die mense in verskillende rigtings(10) weg is vanaf die vierkant, het ek rondgekyk om te sien wat hy besig was om te doen. Dit is beskuldigde nr. 11. Ek sien hom toe waar hy was. Ek merk toe die volgende op, dat hy besig was om die mense bymekaar te roep deur dit te doen. (Getuie demonstreer)

HOF : Nader te wink? -- Ja.

Die mense wat in Bapedi ingehardloop het, het van oos na wes gehardloop? -- Ja, vanaf oos na wes vanaf die vierkant.

Wat ek wil weet is of die mense wat in Mzimvubu inge-(20) hardloop het ook van oos na wes gehardloop het? -- Ja.

MNR. FICK : Die groep wat nou oorgebly het op die vierkant, hoe groot was hulle nou? -- Hulle was min, want die meeste van die mense was besig om weg te gaan vanaf die vierkant.

As u nou sê hulle was min, was hulle minder as honderd of minder as twintig of wat? -- 'n Bietjie minder as 'n honderd. Dit was 'n klein groepie mense.

U sê beskuldigde nr.11 wink die mense toe bymekaar en wat maak hy nog? -- Ek het gesien dat hy 'n plakkaat opgelig het. Ek weet net nie wat daarop geskryf was nie. Daarna(30)

het/...



het ek gehoor dat hulle begin sing daar waar hy was.

Op daardie stadium toe u nou gesien het beskuldigde nr. 11 wink die mense nader, was Mohapi en Sotso ook nog daar of was hulle nie deel van die groep nie? -- Hulle was by hom.

Weet u wat hulle gemaak het?-- Ek kan sê hulle het ook maar deelgeneem aan dié dat hulle probeer het om die mense nader te roep.

Het u dit gesien of is u besig om te raai? -- Een van die twee het dit ook gedoen dat hy die mense nader wink. (10) Ek kan net nie sê watter een van die twee nie.

U sê op 'n stadium het beskuldigde nr. 11 'n plakkaat opgelig met die sing. Het die hele groep saam gesing? -- Nee, ek weet nie of dit hy was wat begin het om te sing nie. Wat ek sê is dat daar was toe 'n gesing gewees by die klomp waar hy was waar hy die plakkaat opgelig het.

Was daar net die een plakkaat? -- Ek het net die een gesien.

As enigiemand anders in hierdie hof gesê het dat die ander twee, Sotso en Mohapi sou ook plakkate opgelig het (20) is dit nie die waarheid nie? -- Nee, dit is nie die waarheid nie.

U edele, in dié verband net vir die hof se gerief, volume 214 bladsy 11 286. Die groep het hulle toe êrens heen beweeg waarvan beskuldigde nr. 11 deel was van die plakkaat? -- Hulle het opgegaan en dit het vir my gelyk of hulle Lekostraat gaan neem en daar inbeweeg.

Het u gaan kyk waarheen gaan hierdie groep nou?

HOF : Wel, ek weet nie of u getuienis gesteun word deur die getuienis nie, maar gaan maar voort met die kruisondervraging.

(30)

MNR. FICK/...

MNR. FICK : U is nou op die plein. Een groep het agter die kar aangehardloop, 'n ander groep het in Mzimvubstraat ingehardloop en hier gaan die ander groep nou en dit lyk vir u hulle gaan in die rigting van Lekostraat, wat doen u toe? -- Ek het eintlik nie geweet waarheen om te gaan nie. Ek het dus agtergebly by die ander klompie mense wat op die vierkant gebly het.

Hoe ver is beskuldigde nr. 11 van sy groep in Lekostraat af op? -- Die laaste wat ek hulle gesien het is terwyl hulle nog op die vierkant was, in die kruising by die (10) aansluiting van Leko- en Mzimvubstrate.

Op daardie stadium toe u hulle laas daar gesien het, waar was u heen? Was u nog op die plein of het u êrens heengegaan? -- Dit het vir my gelyk of hulle die straat gaan kruis om aan die oorkant te kom.

Wat het u toe gedoen? Het u daar gestaan en kyk vir hulle of wat het u gedoen? -- Ek het sommer daar bly staan saam met die ander mense en rondgekyk. Dit wilsê my oë was nie altyd op hulle gewees nie, want ek het rondgekyk om te sien wat maak die ander mense. (20)

Wat het die ander mense gemaak? Sommer net gestaan? -- Hulle het net soos ek gelyk daardie mense. Blykbaar het hulle ook nie geweet wat om te doen nie, net soos ek.

Die mense wat toe nog saam met u op die vierkant oorgebly het, hoeveel was hulle omtrent? -- Hulle was baie min.

Minder as honderd? -- Minder as vyftig.

Wat gebeur toe daarna? -- Na 'n tydjie wat ek daar nog vertoef het, het ek besluit om huis toe te gaan.

Is u toe in Mzimvubstraat? -- Ja.

U het getuienis gegee oor twee aspekte. Op 'n stadium (30) het/...

het u gesê u het beskuldigde nr.11, Sotso en Mohapi gesien en u sê u het ook gesien Mpondo se huis is aangeval. Wat het u eerste gesien? -- Ek het hulle eers ontmoet.

Hierdie drie wat u sê u ontmoet het, hoe ver was u van die vierkant al weg in Mzimvubustraaf toe u op hulle afkom? -- Net onmiddellik wat ek in Mzimvubu indraai.

Toe u die drie ontmoet, dit is nou beskuldigde nr. 11, Mohapi en Sotso, kom hulle van voor af na die vierkant se rigting toe aangestap in Mzimvubustraaf? -- Ja.

Was hulle drie alleen? -- Daar was wel ander mense (10) gewees, maar hierdie drie was in die geselskap van mekaar.

Ek wil aan u stel u getuienis is nie die waarheid oor dat u hierdie drie bymekaar sou gesien het toe hulle daar op pad na die vierkant toe is nie? -- Ek sê dit is die waarheid.

Want u sien, die getuie Mohapi is in volume 40 op bladsy 1 881 - daar is die volgende stelling gemaak.

HOF : Dit sal u nie vind in volume 40 nie?

MNR. FICK : Ek het dit as volume 40.

HOF : Ekskuus, ek is verkeerd. (20)

MNR. FICK : Daar staan "Mr Bizos: Well, what I am going to put to you is that if this may be true of you, but it is not true of accused no. 11, that he lost you after the attack on Mpondo's shop, I beg your pardon on Mpondo's home and from that stage on there was no - he was not in your company." -- Wie sê dit?

Dit is die stelling wat gemaak is aan die staatsgetuie deur die verdediging dat iemand van die verdediging sal kom sê dat beskuldigde nr. 11 het van Mohapi by Mpondo se huis geskei? (30)

MR TIP/...

MR TIP : It does not say that the parting of company was at Mpondo's house. It was something that was put to the witness in the context of the witness having said thereafter they had crossed the length and breadth of Boipatong. That context casts it in a different light.

COURT : The question is allowed. Wat is u antwoord? -- Ek getuig oor wat ek gesien het wat ek by vol hou as die waarheid.

MNR. FICK : Ek stel aan u u het nie een van daardie drie here daar gekry waar u sê u hulle gekry het in Mzimvubustraaf nie, want van Mpondo se huis is hulle weg na 'n ander plek (10) toe waar ander geweld gebruik is. U kon hulle nie gesien het daar nie toe u hulle gekry het? -- Of hulle by Mpondo was of nie, dit weet ek nie. Ek sê dat ek die mense ontmoet het by die punt waarvan ek praat.

Ek wil dan met u gaan na die voorval by Mpondo se huis. Het u gesien self die aanval by Mpondo se huis. Is dit reg? -- Met my aankoms, was die aanval nog aan.

Hoe groot was hierdie groep wat Mpondo se huis aangeval het? -- About twenty or thirty.

Sal u hulle beskou - van watter ouderdomsgroep was (20) hierdie groep?

HOF : Kan ek net duidelikheid kry. Was daar baie mense en twintig of dertig het aangeval of was daar net twintig of dertig mense in totaal wat ook besig was om aan te val? -- Daar was baie mense gewees wat net daar gestaan en niks doen het nie. Dié waarvan ek praat is dié wat die aanval geloods het.

MNR. FICK : Het u toe gaan staan en kyk hoe vind die aanval plaas? -- Ja.

Hoe lank was u daar? -- Terwyl ek daar staan en kyk? (30)

Ja/...

Ja? -- Dit was nie lank nie.

Dit help my niks nie. Hoe lank? -- Ek was nie lank nie.  
Ek was besig om by die huis in te stap.

Toe het u nou gestaan en kyk wat daar aangaan? -- So 'n kort rukkie, ja.

Het u enige van die aanvallers herken? -- Nee, ek ken hulle nie.

Sê u u ken hulle nie of het u hulle nie herken nie? --  
Ek het mos nie daar gaan staan en kyk presies na die mense  
om hulle te kan herken nie. (10)

Dan stel ek dit aan u vir dieselfde rede kan u ook nie vir die hof sê of daardie mense enige organisasies se T-hemde aangehad het nie? -- Ek het nie T-hemde gesien nie.

U het ook nie spesifiek opgelet vir T-hemde nie? -- Dit is die waarheid.

Hoe lank het hierdie aanval plaasgevind vandat u dit die eerste keer gesien het tot dit nou opgehou het? -- Ek het by die hek ingegaan terwyl die aanval nog aan die gang was en ek is tot in die huis in. Terwyl ek in die huis was, kon ek nog klippe hoor wat geval het, maar dit het nie lank (20) geduur na ek in die huis was nie, toe het dit opgehou.

Net een ander aspek nog. Die groep wat nou daar gestaan het en nie self deelgeneem het aan die klipgooiery nie, het hulle gesing? -- Nee, daar was nie 'n lid wat gesing was nie.

Was daar 'n geskreeuery gewees? -- Ja.

'n Groot geskreeuery? -- Daar was 'n geraas gewees.

'n Groot geskreeuery? -- Nee.

HOF : Wat is geskreeu? -- Ek kon nie hoor wat daar geskreeu word nie. Dit is hoekom ek dit beskryf as 'n geraas. Ek het die geraas gehoor en die gefluit van mense. (30)

Het/...

Het u enigiemand herken in daardie groep? -- Nee, ek het nie.

MNR. FICK : Waaruit het hierdie aanval bestaan by Mpondo se huis wat u gesien het? Net klipgooiery of iets anders? -- Volgens my waarneming was dit net klippe gewees.

Maar op daardie dag van 3 September 1984 is Mpondo se huis nie ook gebrand nie? -- Ek het nie gesien dat die huis aan die brand was nie.

HOF : Het u later gesien dat dit gebrand was? -- Ek het dit eers die volgende dag gesien. (10)

Dat hy afgebrand was? -- Ja.

MNR. FICK : Het u op 3 September 1984 op enige stadium enige padversperrings gesien? -- Die dag van die 3de was ek eintlik bang gewees om sommer rond te loop. Ek is in die huis in en ek het nie weer uitgegaan nie.

Is u die 4de uit die huis uit? -- Ja.

Maar u was seker nuuskierig om te sien wat gebeur in hierdie woonbuurt van julle op 3 September? U het seker voor die venster gesit en kyk wat gaan aan, of u iets kan sien? -- Nee. (20)

Het u nêrens in Boipatong gesien daar brand plekke nie? -- Nee.

Het jy ooit gesien toe Mpondo se huis gebrand het toe dit gebeur het, die voorval? -- Ek het dit nie gesien nie.

Maar jy bly dan naby Mpondo se huis? Hoe is dit dat jy dit nie gesien of gehoor het nie? -- Ek bly nie by Mpondo se huis nie. Ek bly wel naby Mpondo se huis. Ek het nie gesien toe dit gebrand het nie. Ek het eers die volgende dag gesien dat die huis alreeds aan die brand was.

HOF : Ja, maar soos u nou die verhaal vertel het u daar (30)  
aangekom/...

aangekom, daar was 'n klipgooiery, u is in die huis in en net 'n kort rukkie nadat u in die huis in is, het die klippe nog geval en daarna het dit opgehou. Is dit al wat u weet? -- Dit is die waarheid, ja.

Het u nie later daardie dag of in die aand 'n groot gejuig gehoor van 'n klomp mense nie? -- Nee, ek het dit nie gehoor nie.

ASSESSOR (MNR. KRUGEL) : Net aan die hand van die antwoord wat jy pas gegee het, was die huis toe nog besig om te brand toe jy dit sien op die 4de? -- Dit was alreeds gebrand. (10)

MNR. FICK : Ek wil aan u stel dat u getuienis dat u nooit padversperrings gesien het 3 September nie, is vals? -- Dit is die waarheid.

Ek wil aan u stel daar was padversperrings aangebring in verskeie strate dwars oor Boipatong? -- Ja, u praat van verskeie strate, maar in ons straat was daar geen versperrings gewees wat ek gesien het nie.

Die pad Mzimvubustraart, is dit die pad waar 'n mens Boipatong binne kom? -- Van Sebokeng af, ja.

Is dit net van Sebokeng af wat 'n mens daar kan inkom?(20) -- Al kom jy van die fabriek af kan jy nog dieselfde straat gebruik om Boipatong binne te kom.

En as 'n mens van die blankewoongebiede af kom? -- Behalwe as jy nou 'n lang draai wil vat om by die lokasie uit te kom vanaf die blankewoonbuurt, ja, dan kan jy met daardie straat inkom, maar ek sien nie 'n rede hoekom jy dit moet doen nie, want daar is 'n korter pad hierso.

Ek wil aan u stel van 07h00 die oggend al op daardie dag 3 September 1984 was daar 'n aanval gewees op 'n bus? -- Ek was nie daar teenwoordig nie. (30)

Die/...

Die getuienis van die busbestuurder was dat hy het gery van die gemeenskapsaal in Boipatong af en soos hy gery het uit Boipatong uit, kort-kort het hulle hom met klippe gegooi? -- Maar die pad vanaf die gemeenskapsaal is baie ver van waar ek woon.

HOF : Is daar busse wat in verskillende rigtings ry? Is daar 'n busdepot, 'n busstaanplek of -terminus by die gemeenskapsaal? -- By die winkels, ja.

En waar is dit? -- As jy met Mzimvubu aan ry tot by die winkels, is dit die plek waarvandaan die busse wegry. Dit(10) is die afryplek van die busse na die dorp toe, maar as hulle dorp toe gaan gebruik hulle die ander pad, nie Mzimvubu nie.

Ja, maar die winkels is mos naby die plein? -- Ja.

En die gemeenskapsaal, is hy nie ook naby die plein nie? -- Nee, dit is ver van die plein af.

En as 'n bus nou begin ry by die winkels, waarna kan hy ry? Watter roetes het hy? -- As die bus dorp toe moet gaan dan ry hy verder af. Net voor hy by die gemeenskapsaal kom draai hy af.

Ry hy dan met Lekostraat suidelik? -- Ja. (20)

En dan draai hy westelik? -- Ja.

As hy nie na daardie kant toe ry nie, watter ander roete vat hy dan, as hy nou nie dorp toe gaan nie? -- As die bus miskien nou vanaf Vanderbijlpark kom, kan hy deur Boipatong gaan en gebruik maak van Mzimvubu en dan in die rigting van Sebokeng ry.

HERONDERVRAGING DEUR MNR. TIP : Geen vrae.

GEEN VERDERE VRAE.

- - - - -

MICHAEL/...



MICHAEL JOHN ARTHUR HANNA, d.s.s.

EXAMINATION BY MR BIZOS : Mr Hanna, do you live at 12 Waxford Avenue, Westcliff in Johannesburg? -- Yes, I do.

And are you employed by the independent television news of London as a television and radio correspondent? -- As a television correspondent

For how long have you been a journalist? -- For approximately ten years.

Did you obtain any academic qualifications? -- Yes, I obtained a BA degree at the University of the Witwatersrand before entering journalism. (10)

What was your first job in journalism? -- I worked for a two year period at the SABC as a radio reporter.

Thereafter were you employed by any other radio program? -- Thereafter I joined Capital Radio which was broadcasting from the Transkei.

Capital Radio, were you employed by it between 1979 and 1983? -- Yes, I was.

In addition, have you held any other appointments? -- During that period I had worked for a number of overseas (20) radio stations, Canadian Broadcasting, Australian Broadcasting and Independent Radio News in London.

You say that Capital Radio was broadcast from the Transkei. When did you actually do your work? Where did you speak in order that your voice may be broadcast during 1983? -- It is a slightly complicated situation in terms of how Capital Radio actually broadcast. If I could explain. In terms of South African Law no transmitters apart from those at the SABC may be on South African territory. Capital Radio is based in the Transkei with its transmitters in (30) the/...

the Transkei. We were not allowed to have transmitters in South Africa proper. So, that what we would do is, we would have our studios in Johannesburg. The program would then be going on basically dedicated telephone lines back to the Transkei and then we broadcast back out of the Transkei into South Africa generally.

COURT : Is Capital Radio a commercial television? -- Radio.

Commercial radio station? -- Yes.

MR BIZOS : Were your broadcasts listened to within the Republic? -- Yes, they were in most parts of the Republic(10) with the exception of the Western Cape where we never succeeded in getting a signal to.

During October 1983 did you conduct a series of interviews in relation to the then forthcoming referendum on the constitution act? -- Yes, in view of the referendum that was held in November, we held a series of radio interviews across the broad spectrum of political opinion and opinion about the referendum itself, which took the form of an interview in the studio and then opening up the telephone lines so that the public could phone and ask their own questions (20) of the figures who were in the studio.

You say that you asked a number of people to be interviewed on this program. Could you list the people that you actually asked? -- Yes, indeed. We selected the people on a kind of basis of how they were advising the people to vote in the referendum and also on people who would have an interest in it. The list that we drew up was - Dr Van Zyl Slabbert who was then the leader of the official opposition, Dr Connie Mulder who represented the Conservative Party, Mr Jaap Marais was invited and in fact the studio was ready for him but (30)

he/...

he did not arrive for the interview. Then we had Bishop Tutu. A magazine editor Dennis Beckett who at that stage was calling for a spoilt paper vote in the referendum and we had asked on numerous occasions the national party representative to take part but they declined because they did not like the actual format of the interview. Instead of that we used a prerecorded interview with the then foreign minister Pik Botha to put across their national party point of view. In addition we also interviewed members from AZAPO, such as Saths Cooper who was the vice-president (10) and Lybon Mabaso who was the president and in addition we interviewed Mr Terror Lekota who was then the publicity secretary of the United Democratic Front.

In October 1983 what was the political atmosphere in the country in view of the forthcoming referendum that was to take place in the beginning of November 1983? -- There was certainly a huge public interest particularly among the white community in the referendum. There was certainly an air of expectancy, there was an air of great political debate at the time. Not only in the white community who (20) were the only people able to vote in the referendum, but in other communities as well who would be directly affected by the change in constitution which the referendum would determine. So, it was a time of heightened political debate in most spectrums of the society.

At the time was the question of the participation or non-participation of the black people in South Africa an issue which was being debated? -- Participation in what?

In the referendum and also in the new constitutional proposal? -- Yes, certainly. This was a central part of (30)

the/...

the debate that the referendum itself gave rise to. Once a suggestion for a referendum to be held concerning a change in the constitution was mooted, then obviously the argument then arose of who should take part in the electoral process or the voting process to actually vote on the new constitution. That once again gave rise to the argument, broader argument about who should take a part in the electoral processes generally within South Africa.

Was the issue summarised by the journalistic phrase Koornhof bills an issue at the time? -- The Koornhof bills(10) were certainly an issue, not I thought as great an issue as the new constitution itself. The two were certainly entangled but I thought that more political attention was being paid to the new constitution.

What were the two questions? The new constitution and the Koornhof bills, we try to avoid the use of the word "so-called" because it just adds to the record, the Koornhof bills, were they coupled together in any way in the political debate that was going on at that time? -- Yes, they were certainly coupled together as a point of (20) debate against as a form of - as a kind of rallying point of descent. Obviously both sets, both the new constitution and the Koornhof bills were products of parliament and the general debate at the time was that these bills and the new constitution was being proposed only by parliament elected only by whites.

You have told us of the parliamentary part representatives whom you called and interviewed and you have told us about the AZAPO and the UDF representatives. Was there any reason why you chose non-parliamentary representatives(30)

for/...

for this program? -- Yes, indeed. We felt very strongly that although the referendum was a whites only affair, its effect would be felt by the population as a whole. In particular first of all the first most immediate and direct effect would have been felt by asians and mixed rates or coloured people who were going to have new chambers created for them. We knew that at that time a substantial number of mixed rates and asian people were in fact members or were interested in organisations like AZAPO or the United Democratic Front. So, that was first of all a direct interest group and (10) even broader we felt that a new constitution introduced in the country affects everybody who lives within the country including the black people of the country as well. Therefore we attempted to widen the debate out of a purely parliamentary context and create as wide a spectrum of political opinion, parliamentary as well as extra-parliamentary, as possible.

Did you have any mini referendum of your own? Did you ask people to vote by sending in there votes, so to speak? COURT : To telephone in? -- Yes, well, what we had was, (20) we would open up the lines - most of these interviews of all these interviews were live. We would open up the telephone lines and members of the public could ask questions and put their own point of view, but in addition what we did was, ran a sort of competition in conjunction where by people would write in on postcards saying which way they would vote in the referendum. Either those who were able to vote, in other words white voters and other people who were not able to vote, people who were not white and the results of which we announced after the actual referendum was held. Once (30) again/...

again the point there was to give some sort of idea of what the result would have been if all - of people who were not white were to take part in the referendum process.

Did you know Mr Saths Cooper and Mr Lybon Mabaso before you invited them to take part in this program? -- Yes, indeed, I had known them professionally for quite a number of time. and of course realised that we - what we did do was approach the organisations and ask them to put up who they would want to represent their point of view. In AZAPO's case they felt more comfortable having two people, having both (10) the president and the vice-president taking part in any interview.

How many interviews did you conduct in any radio with these two gentlemen and yourself together? -- You mean all three of us?at the same time?

All three of you together? -- That was the only time that I interviewed both Mabasa and Cooper together although on other occasions I had interviewed them separately, but that was the only occasion on which all three of us were present at the same time. (20)

And was that on Capital Radio? -- That was on Capital Radio.

Not Freedom Radio from Lusaka? -- No, certainly not Freedom Radio from Lusaka.

You have seen the transcript of EXHIBIT 25.

COURT : EXHIBIT 25 of V25?

MR BIZOS : No, I do not think we gave it a V number. I beg your pardon, it is EXHIBIT 25 and we did give it EXHIBIT V29. The transcript if V29 and it is just EXHIBIT 25.

COURT : EXHIBIT 25 is the tape and the transcript is V29.(30)

The/...

The question is whether you saw that?

MR BIZOS : Whether you saw a transcript of the interview you had with Mr Mabasa and Mr Cooper? -- Yes, I did.

Did you listen to a tape of that program that you conducted? -- Yes, I have.

And is that your voice and the voice of Mr Cooper and Mr Mabasa? -- Yes, that is.

Were you informed that the one that you heard was a copy which according to the evidence of accused no. 2 was purchased at a national conference of AZAPO? -- Yes, I have been (10) informed that.

Were you on the way back on Friday asked to try and find the original of that? -- Yes, I was.

Did you find it? -- Yes, I found the original tape that was recorded at the time of that interview.

I ask for leave to hand that in.

COURT : It will go in as EXHIBIT 43.

COURT ADJOURNS.      COURT RESUMES.

MICHAEL JOHN ARTHUR HANNA, still under oath

FURTHER EXAMINATION BY MR BIZOS : Mr Hanna, you also told(20) us that you conducted an interview with Mr Lekota? -- That is correct.

And were you asked to try and find the original of the tape of that interview? -- Yes, I was.

Did you find it? -- Yes, I did.

Did you hand it over to me? -- Yes, I have.

That is the one that I handed to your lordship on Friday.  
EXHIBIT 44.

COURT : Will you just identify this, please? -- Yes, that was the tape. (30)

MR BIZOS/...

MR BIZOS : Have you seen a transcript of EXHIBIT 44 - I gave your lordship and the learned assessor copies of that, the original and a copy of that and as far as our records are correct it will go in as EXHIBIT V32. There are one or two questions of general application that I want to ask you relating to both transcripts.

COURT : Are you not going to refer to V32 again?

MR BIZOS : Yes, I will.

COURT : I just wanted you to give me an opportunity to mark the passages to which or which are important to you. I do(10) not want to read the weather report and that sort of thing.

MR BIZOS : I have notes and I will refer your lordship to page and paragraph number of the matters that we want to draw your lordship's attention to. After these two broadcasts by the representatives of AZAPO and thereafter the publicity secretary of the UDF, were there any complaints directed to you of any unlawful views having been expressed on the air? -- No complaints whatsoever.

COURT : Well, would complaints be directed to you or to the head office in Transkei? -- If there had been complaints to(20) directed to head office I would have known about it.

MR BIZOS : Was there any complaint that anything said there was in bad taste? -- No.

Or that it was in furtherance of any conspiracy to overthrow the state by violence? -- No.

Or to create havoc and a revolution in the country and make the country ungovernable? -- No, there were no complaints.

There are certain specific passages that I would like to refer you to. My lord, we tried to get EXHIBIT 25 but apparently there is some mishap in relation to it. I beg (30)

your/...



your pardon. EXHIBIT V29, but it is not in the witness's box. I do have an unmarked copy.

COURT : Hand it to the witness. Are you going to deal with the interview Mabasa?

MR BIZOS : Yes, first. I want you to please have a look at EXHIBIT V29 and more particularly page 3 the sixth from the end of the first paragraph which reads "Because the call is being made by the ruling white minority to their constituencies." This expression "ruling white minority" was that in current use at the time? -- Yes, it was in current use.(10) It was very much part of the ongoing political rhetoric of the time.

Was this confined to extra-parliamentary groups or did people within parliament use this sort of expression? -- Some people within parliament would certainly use that expression particularly from the opposition benches. So, it was a term that was used certainly to a great extent in extra-parliamentary circles, but I had heard it used by parliamentarians as well.

I would like you to please have a look at page 4 and I would like to start with the second sentence of the middle(20) paragraph. It would appear that Mr Mabasa is speaking. "We have not done it for years and I doubt whether we will start doing it now and the white community for the first time will start listening to black opinion (then there is something missing) at the same time to say, for whites in this country to avoid future shock, they should act responsibly, but we are not going to tell them whether to vote or not to vote." This expression "future shock" did you in the context in which you heard it at the time construe it as a call to violence or to any other incitement against (30) whites/...

whites? -- No, indeed not. I construed it as a form of for wanting a better word like prophesy, in the same way as one has heard other phrases like from the state president who has referred to adopt or die and the former prime minister referred to a future to ghastly to contemplate. I mean, it is both a rhetorical device as well as a prophesy given by people within their own political framework.

I would like you to please have a look at page the last sentence of that page to the whole of the rest of what Mr Saths Cooper has to say. I will read it into the record. (10)

"Therefore, we view it as a very serious threat, but coming to white politics and the white political arena, we do not address ourselves to white political questions generally because our concerns are with black people being the oppressed, the exploited, the socially degraded in this country. We do not think - and this will give you an indication of our thinking towards the referendum - we do not think that the ruling class is at all capable of ushering in change. They do not have inherent or explicit mechanisms or thinking that can bring in at all any type of meaningful (20) change. The change that can be brought into this country to make this country part of the international community can only be brought about by the oppressed black masses themselves because they have within them the seeds of humanism which the ruling white minority does not have, and, if you look at any piece of legislation in this country, the immorality of that type of legislation which is being carried further in the new constitutional dispensation whites are responsible for, and they are not in our view going to bring any change that is going to destroy their minority (30)

monolithic/...

monolithic position." In this passage words such as "oppressed, exploited, socially degraded", expressions such as "ruling class, black masses and the destruction of the minority monolithic position", did you in any way feel uncomfortable whilst these words were being uttered over the air whilst they were being uttered? -- No, not at all. I interpreted these words as part of that political rhetoric which I had heard at numerous public meetings, which I had seen reported in local media, which in fact I had been exposed to during universities lectures. They are terms that one had come (10) across very frequently and that is the only interest of importance that I attach to them as purely the fact that they were a form of political rhetoric.

My lord, because there are similar words used on subsequent pages, could I take them all together and not take the pages in sequence, but do them in subject matter?

COURT : Yes.

MR BIZOS : Would you please have a look at page 40 to page 41. At the bottom of page 40 Mr Saths Cooper says "And we believe that we should learn from history that we cannot (20) work with sections of the oppressor community, the exploiter community, in mapping out a future for the oppressed people. There are lots of problems that oppressed people need to sort out before they can get into such alliances." The words "exploiter" and "oppressed community", is your answer any different to the previous answer that you gave? -- No, it is precisely the same. I did not find these terms surprising at all.

For the sake of completeness if you would please have a look at similar words on page 34 .. (Court intervenes) (30)

COURT/...

COURT : Well, if you are going to repeat the same phrase it is no good.

MR BIZOS : Well, it is slightly different.

COURT : If it is different then you can go ahead.

MR BIZOS : It is slightly different and it always contains something more. The rhetorical question that is being posed in the middle of the page "Are we on the side of the oppressor or on the side of the oppressed? Are we on the side of the exploiter or on the side of the exploited? And when we have got very clearly that I, whether I am (10) classified Indian or Coloured or Xhosa or whatever, am oppressed, am exploited, and I feel oppressed and exploited, and I would be oppressed and exploited, the problems are over. No guilt feelings are going to play and no propaganda exercise is going to have any effect on me." Would you put this into the same category? -- Yes, I would.

I want you to please have a look at page 39. You yourself start speaking at the bottom of page 38 and you say at the top of page 39 "The question once again is one I think that is particularly interesting at the moment and that is (20) what does appear to be a clash, a chasm, between the national forum of which AZAPO is one of the founder and the United Democratic Front." Did you put that question? -- Yes, I did.

Why did you put that question? What was happening at that time in your mind? -- Well, what we had noticed is that the previous two were questions from a caller and a comment from a caller saying that there should be some form of unity between AZAPO and the United Democratic Front which gave me then the opportunity to ask the question which was one (30)

that/...

that was very relevant in political debate at that particular time, is of the degree of division between the two movements AZAPO and United Democratic Front, which is the reason why - I put that question in a leading way mentioning the fact that there was a chasm and why.

I would like you to please have a look at page 48, the bottom of the page the second last sentence commencing with the words of Mr Saths Cooper again "What must happen in this country is that the white ruling class must be prepared to relinquish its position of power and privilege in this(10) country. When it indicates that willingness to relinquish its position of power and privilege and indicates that it is now prepared for an entirely new order in this country based on universal principles so that this country can become once again part of the community of nations, that is when we can really begin to talk about constitutional change in this country. Until the white ruling class does not decide to forego its power in this country, there can be no meaningful change, and whether they include Buthelezi or Thebehali or whoever in deciding on a new constitution, (20) it is not going to affect the life of the man and woman in the street." Was this said on your program? -- Yes, it was said.

Did you consider this a revolutionary call for the handing over of the reigns of power by the government to others? -- Yes, certainly it was a call for whites generally to take some form of action in a revolutionary, in fact an evolutionary way whichever way one wants to look at it. The interesting point about it I found was that it was a clear statement that whites do in fact have a role to play(30)

in/...

in any form of political transition and that the function of whites according to Cooper was that they must play a role in the political process of political change by in fact actively applying power. In other words, what I feel that he is saying here is that the process of transition is twoways. It is not only gaining of power, it is also a divestment.

There are the - I would like you to please turn to page 7 - before I do that, may I change the question. I do not remember whether there is evidence - who is Mr Thebehali? -- He was the then mayor of Soweto. (10)

On page 7 I want to read from the beginning of the second sentence where Mr Mabasa is speaking "There had been talks all around the country that the coloured labour party had sold out. And AZAPO is an organisation who refused to take that particular stand that they had sold out because all along their position was that of operating within government created institutions and therefore so far as we are concerned it was not a matter of the coloured labour party selling out. It was more expressing what we in our organisation have always believed them to be." This expression (20) of "selling out" and more particularly in relation to the labour party at that stage, how current were the words "sold out" or "sell out" or words to that effect at that time? -- It was a phrase that was exceedingly current. It was used both in these sort of political circles. I had also heard it used at meetings of the then beginning conservative part in terms of accusing the government of having sold the white man down the river with its new constitutional proposals. So, it was a phrase that one heard often of the "sold out" and the "selling out" in most areas of political expression. (30)

On/...

On page 10 the phrase, it is a very long sentence, I am only interested in the phrase "it will usher in a new type of presidency, it will usher in almost a total military dictatorship." Was Mr Cooper alone in making that sort of prediction at the time in the political climate that prevailed at that time? -- No, people once again from across the political spectrum were making those types of prophesy particularly with reference to - the first reference "it will usher in a new type of presidency", one heard that amongst parliamentary opposition groups. The question of (10) "it will usher in almost a total military dictatorship", one heard accusations or sort of prophecies about that type of thing from, particularly from the then official opposition of the Progressive Federal Party. So, this was once again a general allegation that arose out of discussion about the proposed new constitution.

The final paragraph that I want to refer you to in this exhibit is on page 29 where the participant Claire is speaking. I want merely want to comment on what she said there and what the position was at the time. "And also (20) the animosity which will be created between the blacks and the coloureds and the fact that they will have to go to the army in a country where they have no real rights." Was the question of the conscription of the indian and mixed race people an issue that was being discussed during the debate on this referendum? -- Yes, it was not one of the major points sort of discussion, but it was discussed fairly widely once again among all political groups. I remember in fact Dr Connie Mulder in the interview that we did to him referring to exactly the same problem by integrating (30) people/...

people of races other than white and into the army what was - the danger that was looming was that the government was going to train people who would then turn those weapons against them. So, one heard resistance to the conscription of people other than white from the right as well as from the left wing.

I now want to turn to EXHIBIT V32 which is the interview with Mr Mosuo Lekota as you have it. Is that accused no. 20 before his lordship? -- Yes.

On page 2 there is a passage which deals with the purpose of the formation of the United Democratic Front, the middle(10) of the page with the sentence starting "What we hope achieve.

COURT : Do we have a date of this radio interview?

MR BIZOS : It is written on the ridge of the tape cover.

COURT : 18/10/84? -- That is correct.

MR BIZOS : What we hope to achieve there is to illustrate to say to the government that our people do not accept and they not support the new constitution. We also hope at the same time to give the world a clear indication that the government is pursuing policies which do not enjoy the support of the majority of South Africans. Hence therefore(20) the various regional rallies which we are setting up in Transvaal, in the Western Cape, in Natal, hopefully and if Sebe and the South African government do not continue to repress and ban our meetings in the Eastern Cape, that there too we will be able to set up at least two regional rallies. There are feverish preparations even in areas like the Free State and the North Cape where all our people are going all out in fact to make sure that on that day they may at least you know express their opposition in the current circumstances that is the best that they can do." Did you know about the(30) formation/...



formation of the UDF before this interview? -- Yes, indeed, I had in fact been present at the official launch of the United Democratic Front in Cape Town. So, I was aware of the organisation, yes.

In your capacity as a delegate or something else? -- no, in my capacity as a journalist covering the event.

COURT : Were you at the conference? -- Yes, I was.

MR BIZOS : We know that there was a session of the conference of the delegates and a rally, can you remember or do you know which one you were at? --If you are referring to was (10) I at the conference of the delegates, no, I was at the actual public rally ... (Court intervenes)

COURT : Where the noise was made? -- Where the noise was made both outside and inside.

MR BIZOS : Did Mr Lekota say anything on this radio program which was different to your perception of what the UDF held itself out to be at that time? -- No, I thought it was a very ... (Mnr. Jacobs kom tussenbei)

MNR. JACOBS : Teen hierdie tipe vrae wil ek beswaar maak, tensy die getuie 'n deskundige is op 'UDF dan kom hy nou hier (20) getuienis gee oor dinge van UDF waarvan hy blykbaar nie kennis gedra het nie en waarvan hy dan blykbaar vir ons 'n basis moet gee van hoe hy dit bestudeer het, hoe hy so 'n stelling kon maak. My beswaar is dan dat hierdie getuie se weergawe hier, tensy hy vir die hof kan sê hy steun op spesifieke feite, kan hy nie hierdie opinie uitspraak nie.

MR BIZOS : I thought that we had been through this before. but let me submit again the state's case is that every person who was in any management structure of the UDF is guilty of treason because they knew that the UDF was a (30) violent/...

violent organisation. We are going to argue to your lordship that if at public meetings held, if in pamphlets issued, if in newspaper interviews given and if in radio - in the radio programs the aims what we say were the aims of UDF were expressed, then every bit of evidence that any witness in this regard was exposed to as a result of his personal knowledge and your lordship heard that the person was at the rally. Your lordship also heard that he was present at various meeting, is admissible in order to prove what accused no. 6 for instance, I am taking him merely as an example, (10) because your lordship will recall that his organisation affiliated to the UDF. That is Mr Mokoena, the Evaton Ratepayers Association. So, that we are entitled to prove how the state of mind for instance of Mr Mokoena came about and if the witness can say to your lordship that it was believed, it was commonly believed by the UDF at the time as a lawful organisation, intended to bring about change by peaceful means, that evidence is admissible. On the same basis the extra-judicial statements made by Mr Lekota and ... (Court intervenes) (20)

COURT : But can this witness not merely give us the facts what he heard at this meeting and what he heard at that meeting? I can make my own conclusions.

MR BIZOS : I will change the form of the question. Had you heard anything different about the UDF at the rally in Cape Town or at any other meeting which you attended of the UDF?

MNR. JACOBS : Kan my geleerde vriend dan net n basis lê as hy hoorsê getuienis op rekord wil plaas, waar hierdie getuie teenwoordig was. Hy lei nou die getuie of hy gehoor het van enige teenstrydigheid. Dan moet die getuie sê hy (30) was/...

was daar teenwoordig ... (Hof kom tussenbei)

HOF : As mnr. Bizos verkies om dit so vaag te laat, dan beteken dit niks. Ek weet mos nie waar hy was nie.

MR BIZOS : Did you attend meetings of the UDF? -- I did.

One or two or many? -- Certainly more than two. I think many would be an adequate description.

Did Mr. Lekota say anything different on your radio program to what you heard the UDF people speaking about in the many meetings that you attended? -- No, I did not.

Will you please turn to page 7. I am sorry, the sentence (10 starts at the bottom of page 6, the very last line. Mr Lekota says "Why we have taken that attitude is for the simple reason that the United Democratic Front sees the referendum as missing the central question about the South African problem. The question here is not whether apartheid in one form or another is acceptable. It is whether apartheid is acceptable at all. And as far as we are concerned, it is not acceptable. That is why we have called on the government to release all the political prisoners, to recall all those South Africans who have been exiled by the apartheid (20) policies of this government and to unban all those people who are restricted and silenced to participate together with all the other South Africans, black and white, as equals and countrymen to build up a constitution based on their will and therefore a constitution that would be acceptable to all." Was that said on your program? -- Yes, it was.

Were calls made for the release of political prisoners, the return of the exiles and their participation in the formulation of a constitution peculiar to the UDF or Mr Lekota at the time or were they generally aired or written (30)

about/...

about? -- These were views that I had heard about and written about in media generally at the time.

Were they views expressed only by the extra-parliamentary political groups in the country or do you know whether any parliamentary groups expressed similar views? -- I think this is the similar view expressed by the then official opposition in parliament, certainly the recall of political prisoners. It was a current call from opposition benches at the time and now.

Whilst we are at this, on page - perhaps I should (10)  
come back to it. Let us deal with one subject at the time. Will you please have a look at page 11. The final paragraph, Mr Lekota speaking again. "The only alternative as far as the United Democratic Front is concerned as I have said is to open the country, create an atmosphere of absolute freedom and peace. Allow those men who have been exiled in this country - who so repressed and exiled by the unacceptable apartheid policies of our government. Allow them to come back home, release the political prisoners, Nelson Mandela and others. Those men are there and we have no doubt in (20) our minds because they are committed to a free and just order. Let those men who are banned like the Beyers Naudes today and others, allow them to participate in a process of building a constitution that will be based on the will of all the people of our country. Let South Africans participate in that process on the basis of equality and of fellowship, and we have confidence in the people of South Africa that they will not choose revolution, they will not choose murder and we have confidence even in those people who are today on the receiving side of oppression that they have (30) sufficient/...

sufficient magnanimity within them to accept white people as human beings only if they too are accepted as human beings. So if you opened up that type of atmosphere, we are convinced that a constitution can still be worked out and that constitution worked out and based on the will of the people of our country will be acceptable to them. That is the only alternative we see." Were those words uttered by Mr Lekota on your program? -- Yes, they were.

Were they peculiar to Mr Lekota or the United Democratic Front at that time or were they the current language of (10) use by others, other than by the UDF? -- Once again this was current language used by a number of political groupings parliamentary and extra-parliamentary.

I would like you to please turn to page 7 and read that with what appears on page 8. It is again Mr Lekota speaking, the last paragraph "I think that those who are arguing like Hendrickse is doing - after all he is now thoroughly discredited in the coloured community - are men who see specific benefits for themselves. I do not see what hope Hendrickse sees in this new constitution where the so-called coloured(20) people will remain in Noordgesig, the so-called indian people will remain in Chatsworth, they will remain in Mannenberg (we are not sure of the spelling) and all of those squalid townships in which these people are housed today. And what the new constitution says both to the Indian and coloured sections is to say they may have their own affairs in those squalid fowl runs and there govern themselves. Of course, the Hendrickes and all of those who will be in the forefront stand to gain a lot. They obviously stand to gain very good salaries as coloured delegates in the case of (30)

coloureds/...

coloureds and then of course indian representative. I am sorry I think it is coloured representatives and indian delegates. Now those men who specifically stand to gain will pose the line that this is a step in the right direction. They are beginning to think more with their stomachs than with their minds." Was this said by Mr Lekota on your program? -- Yes, it was.

Attributing motives to politicians that they are in it for what they can gain for themselves, was that peculiar to the UDF or to Mr Lekota on this program of were these (10) matters openly said and debated at the time? -- No, had these matters openly said and debated at the time.

I would you now to please turn to page 9. We will start with the second sentence with Mr Lekota speaking and as far as we are concerned. "And as far as we are concerned, that means inclusion of all South Africans, and when we talk about all South Africans, we mean all South Africans. Black and white. We contend that the struggle which we are waging today is actually a process of birth of a new society. We think therefore that if that society is going to be non-(20) racial, we may as well begin now to educate ourselves, to actually you know mould men who will be non-racial in approaching things. Argument has been those who oppose the non-racial approach have argued that there are very few white people who are prepared to participate in the struggle. Our position is, even if there is not a single white man participating in the struggle, we will still say that it is wrong to judge men on the basis of colour and therefore non-racialism for us would remain correct, whether they were whites participating in the struggle or not. (30)

That/...

That there are a number of white people today who participate in the struggle is a secondary factor. It is merely contributory. It may only strengthen our belief in clinging to the non-racial approach, but it is not the basic determining factor why we cling to non-racialism." Was that said on your program? -- Yes, it was.

Will you please turn to page 10. There are two passages on two different aspects that I want to deal with. The second sentence on top of page 10 "We think that in the circumstances that are prevailing in our country today, (10) not only are we ruled by racial and criminal men really, but they are co-opting even from amongst our own communities selfish men like the Sebes, like the Matanzimas and so on, who now co-operate, who now are prepared to lay down for that matter their own lives for the maintenance of apartheid. And that for us presents a very interesting development for it means that the oppression that is going on in exploitation in this country can no longer now be associated with a particular racial grouping, just as much as the love of peace and justice can no longer be associated with a (20) particular racial grouping. And we think that if we adopted the racial approach, only black people may struggle for peace and justice, we would actually be becoming products of apartheid. We would be falling in the same trap as the Nats have fallen into because they say that only those people who are white skinned are entitled to a full life in this country. Now if we are going to say only those people who are black skinned are entitled to struggle and fight for justice, we would just be doing the same thing - we would be falling in the same trap - we would actually be judging men on the (30) basis/...

basis of colour. So we are not prepared really to abandon what we consider to be the correct path. However, we find ourselves committed to a cause where we must insist on persuading our fellow countrymen to at least redress their bitterness, assist them, understand why it is so crucial that we must build today a new generation of men moulded completely differently from the circumstances which prevail in our country - men therefore who will be fit enough to maintain a non-racial society. If we pushed racialism today, we would find ourselves in a situation in which the Nats (10) are today. They are trying to persuade their Afrikaner brothers to say that accept this section, accept that section. It is now impossible because yesterday they lied to their own people - how they are caught in their own lies and we would not like to do the same thing." Was that said by Mr Lekota in your program? -- Yes, it was.

The next passage also on page 11 is the last paragraph on the page "The only alternative as far as the United Democratic Front is concerned ..." (Court intervenes)

COURT : We have read the bottom line of page 7. (20)

MR BIZOS : Yes, I beg your pardon. I followed the transcript rather than my notes. Please turn to page 13. There is something that I want to ask you about that. When the tape is turned over there is a note by the transcriber that there is something missing. Can you throw any light on that, what is missing there? Can you recollect anything? -- To the best of my memory what Mr Lekota was discussing there was white politics and in particular the in fighting between the what you call the Afrikaner people, between the government and the conservative party and that is what he is (30) discussing/...



discussing at that particular point. The phrases he used I cannot remember, but it would have been a matter of twenty, thirty seconds. So, I do not think there is anything significant in that particular part.

There is a question and answer session between you and Mr Lekota commencing on page 19 to approximately - well, to the top of page 21. The question at the bottom of page 18, you are speaking about what was going to happen eventually with the accepted constitution and then you ask the question "Somebody has to chair that meeting. Who (10) would chair that meeting when everybody gets together? Who will be the chairman? At all meetings there is a chairman. Who will be the chairman?" "Ja. I would not be a book of answers in the sense that I think that that is a question which will be decided by our people in a joint sitting and as I am here I am just one individual in a country which has got millions of people. But I think through the proper organisations, etc. etc. our people in this country, black and white, can responsibly and maturely decide who may chair the meeting." "So you are saying through the various (20) political parties regardless of what they are at the moment the various political parties throughout the country, they would decide who would chair it or are you going to say you are going to go to the country to find out exactly who would chair that meeting?" "Including of course through the organisations, including those who today are exiled in the country as it were, you know, including those who are in prison." "Who had their own leaders, in other words, they will come forward as well to be part of the National Congress, that we will call it?" You call it national (30) congress/...

congress. Can you recall what precisely you meant by that?

-- I meant that this particular section of the interview I was trying to elicit some detail other than more than purely rhetoric from Mr Lekota to say in practical terms what would one do. I referred to the national congress there. I was using it as a synonym for national assembly.

ASSESSOR (MR KRUGEL) : Apparently not yourself but Mr Lambert?

-- I am sorry, yes, that is Mr Lambert.

MR BIZOS : It is Mr Lambert and not you? -- Yes.

Is there any other expression for national congress (10) which was in current use at the time instead of national congress? -- I am sorry. It is me referring to national congress rather than Mr Lambert.

ASSESSOR (MR KRUGEL) : The initials there are BL. -- I have ML on my copy, Mosuo Lekota.

COURT : ML is Lekota? -- Yes.

And BL is Lambert? -- It is Lambert.

MR BIZOS : He is MH.

COURT : That is right at the bottom. -- Yes, and in the middle I have a MH. (20)

Well, it does not matter who said what. It is the evidence that it was said.

MR BIZOS : It was said. Is there another name for national congress that was in current use at the time? -- Well, there were a number of names what the idea was, which is gathering of people, national assembly, national convention was a word that had been a phrase that had been used.

And then Mr Lekota says "We'll say a national congress so to say - a parliament of the people of South Africa will decide you know through rightly elected leaders who enjoy (30) their/...

their confidence, who may chair the meeting and things like that." "Right, let us move the conversation away from the hypothetical to the more practical, and that is to take a look at the composition of the United Democratic Front." Then you go on and there is a long answer in relation to that. I will stop there in that regard. I would like to start again at the bottom of page 20 from seven lines from the bottom on the right-hand side your lordship will see the word "We." "We are of course a new initiative, we are a growing process, and I think as time goes on, depending on our (10) determination, depending on the amount of work we put in it and the amount of discipline we can at least inculcate in ourselves. I have confidence that we will be able to gain the confidence even of those unions which remain outside of the UDF and many other organisations which cherish democracy and peace in this country." Was that said? -- Yes, it was.

You then ask the following question on page 21 "Now the criticism of the UDF's membership and organisation the Cape has criticised the UDF because it has for instance NUSAS as an affiliate constituent from the organisation would (20) describe as the sons and daughters of the bosses, the Black Sash whom that organisation would describe as the wives of the bosses. What is your response to that kind of criticism?" Incidentally, who made this sort of criticism of the UDF? -- That was criticism that was made by AZAPO in fact by Mr Cooper directly in the AZAPO interview.

If my memory serves me correctly, at least one of the bosses was specially named, but we will leave it at that.

COURT : I remember this phrase.

MR BIZOS : "May I address myself specifically to some of (30) these/...

these organisations for instance you have touched? Let us take the national union of South African Students as an example. Who will deny today that the vast bulk of the leadership of the independent unions have come from the ranks of the wages commission of the National Union of South African students? Who will deny that those men and women who are there have sacrificed very comfortable careers to organise black workers in this country and today are championing their cause before managements which are seeking to exploit them? Let me take the Black Sash. Who will deny today that (10) members of the Black Sash in KTC, in Crossroads, in Inanda, in many other parts of the country, who will deny that today they enjoy the confidence of our people in the households of the townships of this country? Because of their performance over the years against influx control. Who will deny that even as the bulldozers Bezuidenhout was running down the masses of our people in Crossroads and KTC leaving them homeless and so on - those women in the Black Sash many of them spent sleepless nights where some of us, black as we were, were comfortably sitting back or lying comfortably (20) in our own beds; and who will deny today that if anybody wanted an authority on the influx control laws you would have to go to the Black Sash to go and get that information? Those of us who have looked at those things feel that in spite of the fact that these people are white that their performance has earned them a position of respect and to that extent we feel that in spite of our oppression we must accept that as human beings they have acquitted themselves creditably. I am not of course by that I mean I am not of course saying that the hope of our people is entirely predicated upon (30) them/...

them, but I think we have to be honest enough to recognise and give due where it is worth. And we have respect for those people who participate with us today because their own performance completely without you know our own sentiments and so on have placed them where they are and I am sure that with some of them if you went into Inanda for instance you would find women such as Mrs Nicholson who enjoy a lot of confidence there. I think in the Rikhoto case you know many will admit that Black Sash has played a hell of a role in that case and so on. How then do we say to people who have clearly proved that they are committed to freedom and democracy in our country who quite evidently are committed and accept the humanity of our people - how can we say to them we do not want or at least that they may not participate in the struggle or perhaps that we reject them? I think that it will be a self-defeating bitterness you know. We cannot accept that situation. We accept them as human beings first - they happen to be whites second - they are initially human beings and I think their performance has proved that, so we have confidence that we have here and in(20) them reliable allies, not born of idealism and imagination and so on but born of hard fact which we have seen." Was that said on your program? -- Yes, it was.

The final paragraph that I want to refer you to... (Court intervenes)

COURT : How do you deal with the commercials? Do you stop the interview and wait for the commercial? -- Yes.

Or do you put it in later? -- No, we stop the interview. It is all happening live.

So, you sit around drinking Coke while the commercial(30) is/...

is on? -- Precisely that.

MR BIZOS : Mr Lambert on page 24 asked a question, no I beg your pardon it is a caller, and asks a question on page 23 that black people are apparently fighting in Lamontville and there is an answer given. More particularly Lamontville was raised at that time. Mr Lekota says on page 24 "I think if you have followed very well developments in Lamontville, you will know that some of the people there in Lamontville, even though they are black, have behaved in the most rascally of ways and if you notice there at Lamontville this weekend(10) the people who actually fought there were those who support Bantustan policies and those who are opposed to that type of policy. The people who came from Inkatha and who in fact push and want to see Lamontville incorporated into Zululand, who actually therefore are champions of homeland policies, are the ones who have provoked that situation there. And our people, as I have said earlier on this morning, are opposed to the Bantustan policies. We are not fighting against our own people in Lamontville; we are fighting against those who are acting as agents of the government (20) which is unacceptable to us. And that is how you must understand that thing." At the time how did you understand this word "fighting" used by Mr Lekota? -- That bit I understood both as a political type of debate and also at that particular stage there was indeed physical conflict in Lamontville which is an area just outside Durban. So, I did not interpret that as - in both ways, both in a political sense as well as in a physical sense.

Then the caller Steve says "In other words you are saying now that agents of the government are causing friction(30)

in/...

in Lamontville." "Exactly. You know who killed Msisi Dube in Lamontville? Msisi Dube was killed by the mayor of Lamontville the chairman of the UBC, a body of the government of this country, who is now standing trial and has already admitted that he paid money and he along with others went to Pondoland looked for people, trained them to come and kill Dube who enjoyed the confidence of the people of Lamontville. And that is why Lamontville has never rested ever since because the people of Lamontville feel that they were robbed of their rightful leader." This allegation made by Mr Lekota, did (10) it lead to any deformation actions or any complaints from Mr - the mayor of Lamontville? -- No, it did not. I think that this matter had already been handled in court.

My lord, there was evidence that he was actually convicted and sentenced to twelve years' imprisonment.

ASSESSOR (MR KRUGEL) : Is that now the mayor of Lamontville?

MR BIZOS : The mayor of Lamontville, yes. I think it was in answer to your lordship that - your lordship's assessor that the evidence actually came out.

CROSS-EXAMINATION BY MR JACOBS : Mr Hanna, on V32 is that (20) a complete transcript and is the tape on it a complete taped tape? -- Yes, it is, apart from where the tape has been turned over during the interview.

Why I ask you is that on page 1 you start there, MH started there "Well, we now seem to be back on air after that delay. Great apologies about that." You were on the air and then there was a stoppage, some delay and then again you were on the air. Where is the other part then? -- What happened there is in the rather complicated technical arrangements by which Capital Radio broadcast. It was (30)

fairly/...

fairly common at that stage to lose our signal and that is in fact what had happened, that we had been waiting to begin the interview, music had been played, we suddenly realised that we were off air and had to play music for a period of time and then told by the engineers that we were back on air. I was aware when I started the interview that listeners out there probably had nothing on their radio sets. So, I then came back and started off when I seemed to be back on air after that delay. Listeners had known that this interview was going to be done on that day. Some (10) of them would have been waiting for it at a particular time and instead we started far past the time that we had announced the interview would begin. I think it was due to begin at 09h00. It actually began at about 09h50.

So, you were not on the air before this? -- No, not with the interview.

Did you - you said you attended the launch of the UDF. You did not attend the conference held during or on the launch, the date of the launch? -- No, I attended only the actual public congress, the actual physical public launch. (20)

Public meeting? -- Public meeting.

After the conference? -- Yes.

Am I correct to say that you are not conversant with the policies and the aims and objects of the UDF? -- At the stage of the launch of the UDF I had interviewed a number of people concerned with the UDF, a number of the patrons, a number of prominent members within it. So, that actually at the time of the public launch of the UDF which is a story I was reporting on, I would have held myself to be conversant with what the UDF was suggesting what its particular aims (30)

and/...



and objects were as far as could be understood at that stage.

What was the ultimate aim of the UDF? -- At that particular stage the professed aim of the UDF was to create a forum for opposition to a particular legislation. That is the Koornhof bills and the new constitution.

Was that not a medium or a short term aim of the UDF at that stage? -- At the time of the launch the professed major aims were those two things. Certainly there were - in fact at the launch the only other long term aims that I can remember expressed were the phrase or something like that, (10) Dr. Boesak whose phrase this was. As I remember it "We want it or we want it here, we want it now". That is the only other - I understood he was referring to government, but that was the only phrase that I recollect in terms of a longer term strategy removed from purely the dealing with government legislation at the time.

You say it is a longer term, but he said he wanted the government now. -- Yes, I think that perhaps Dr Boesak was carried away with his own sense of rhetoric on the occasion.

Did you know whether it was an aim of the UDF to (20) establish a government of the people in South Africa, to take over the power in this country? -- At that stage there had been certainly reference in interviews I had conducted to creating a government of the people. Certainly that was a long term ... (Mr Jacobs intervenes)

And taking over power in the country? -- Taking over power in the country - I do not remember that phrase exactly being used but I would understand it as being implicit in becoming the government in the country. I do not see how one can happen without the other. (30)

And/...

And at that stage how did they intend to achieve this long term goal of setting up a government of the people? -- At that stage all they were talking about were in terms of creating a vast publicity drive. There were no mechanism, no nuts and bolts as to how exactly they would achieve these ideals.

Did you know at that stage that it was one of the medium or short term aims of the UDF to mobilise and organise and politicise the people? -- Yes, that was an expressed aim, part of what I described as a publicity drive. (10)

For what purpose? -- With the purpose I assume of expressing opposition to the legislation to which I referred.

Only to express opposition? -- Well, I think that that is clear in the interview that I did with Mr Lekota where I was trying to .. (Mr Jacobs intervenes)

No, I am not asking you on the interview. I am asking you now, you said you were at the launch and they told you what the aims and the objects of the UDF were? -- Yes.

Was it only for the purpose of organising and mobilising and politicising the people for the purpose of them speaking about it? -- I do not quite understand. (20)

I will ask you again then. Why did they want to organise, mobilise and politicise the people? -- To express opposition to this particular legislation.

Who must express opposition? -- I understood them as proposing to do was to create, certainly to organise, to intensify public debate amidst communities about these particular issues.

Who was to express their opposition to existing government and the new constitution? Who was it? Who was to do (30)

that/...

that? -- I imagine that that is what they were attempting to create. To get members of the general public to add their voices in an organised public forum to what the UDF saw as its aim, which is to oppose legislation.

So, must only certain people do that or was it the organised masses who must do that? This is what I want to try and find out from you? -- I had confusion on this particular fact myself. I assume what they were referring to was the people generally. In other words that the UDF and its affiliate organisations would define as falling under the (10) umbrella.

Do you know what the UDF policy is on a convention or a congress as you call it in this interview? -- At that particular stage I do not know whether it was official UDF policy, but I had heard it stated by the members or supporters of the UDF that the idea of a national convention was still the idea. Whether it was a policy of the UDF or not, I am not certain.

Do you know what the UDF stand is on it and what minimum demands they put? -- With permission, it is difficult to (20) discuss the UDF as a single entity. The UDF was in fact at the time a collection of a number of organisations and affiliates and movements. Not all of them had had a common policy with reference to particular things. I can speak about what I assume to be the majority opinion between all these various groups as expressed on public platforms, but I cannot say that this is defined UDF policy.

Is it not so you cannot tell the court at all what the UDF policy is in connection with the convention, national convention? -- I could tell the court what particular (30) affiliates/...

affiliates and what particular members opinion was but as far as I recall it at that particular stage, there was no UDF policy on that particular matter.

You do not know that or do you know that? -- To my recollection on the - in August 1983 when the UDF was formed there was in fact no common consensus as defined UDF policy.

And at the time of your interview with Mr Lekota? -- At the time of my interview I do not recollect that that would have been public UDF policy before either.

Do you say that what Mr Lekota said in your interview(10) was his own personal view expressed? --I think it was a view shared by a number of affiliates of the United Democratic Front. I think it was certainly, once again as I said that the as far as I could ascertain that the majority of affiliates of the United Democratic Front.

How did you ascertain it was the majority view of the UDF? -- By attending a large number of UDF meetings over a long period of time.

Where they discussed the national convention or a national congress? -- Where speeches generally, involving a large amount of rhetoric took place and where reference was made to matters (20) such as a national convention in such a manner that one could only interpret it as that sort of organisation being approved.

When was that when you attended that meetings? -- We are talking about meetings between even before the official launch of the UDF, I remember the June 16 meeting in Regina Mundi in Soweto for example. We had already at that stage had the UDF being defined as an idea - I remember a meeting at the Catholic Church in Saratoge Avenue in Johannesburg. There were a large number of UDF meetings that I attended.(30)

COURT/...

COURT : Could we just get some clarity. The first meeting was June 16th meeting in 1983. Was that a UDF meeting? -- It was not. The UDF was not launched at that particular stage.

That is the one. The next one is the Catholic Church in Johannesburg. When was that held? -- I cannot remember. If I may point out at this particular stage I was attending many meetings of the UDF ... (Court intervenes)

I warned Mr Bizos when you gave this evidence that it was vague. Now I want some clarity. Just give me the date, (10) the meeting and who convened the meeting? The first one we have. The second one is the Catholic Church in Johannesburg. -- Yes.

Who convened that meeting? -- I think that that was actually convened by the UDF. I think that that was post the August launch.

August regional launch of UDF Transvaal? Is that it? -- No, this is another - it was not actually the divisional launch. I cannot remember the exact nature of the meeting. The reason why I remember it is that in fact Mr Lekota was (20) a speaker at that particular meeting. I imagine it was October 1983.

Any others? -- I did attend briefly the launch of the UDF Transvaal. The exact date I cannot remember.

1983? -- 1983, yes.

MR JACOBS : I could not hear you on this last answer, I am sorry? -- That I did attend for a brief time the Transvaal launch of the United Democratic Front.

ASSESSOR (MR KRUGEL) : You also mentioned a June 16th meeting at Regina Mundi? -- Yes. (30)

When was that? -- That was on June the 16th before the launch/...

launch of the United Democratic Front. Another specific meeting that I remember attending was the meeting in Lenasia. I imagine that that was in October 1983.

COURT : A UDF meeting? -- A UDF meeting.

Anything else? -- Those are the specific meetings that I can remember.

MR JACOBS : You mentioned four now. On this Regina Mundi meeting that you attended, you could not give us a date or anything ... -- No, the Regina Mundi was June 16th.

Was there mention of a national convention of a (10)  
national congress? -- No, there was not.

The second one the one that you said you think was in October 1983 where Mr Lekota was a speaker, where was this meeting held? -- That was in the Catholic Church in Saratoge Avenue in Johannesburg.

Who organised this meeting? -- I am not precisely sure who organised it. I Imagine it was the United Democratic Front.

What was said on this meeting about a national convention or a national congress? -- Reference to the best of (20)  
my recollection was made of a national convention of the people being a necessary end to this particular political process.

Who made reference to that? -- I think, I cannot be sure, but I think it was Mr Lekota.

Did he say that that was in accordance with UDF policy? -- No, he did not say that that was in accordance with UDF speaking on the platform as he did and one once again would have to make that assumption.

Did he mention any minimum demands for a national (30)  
convention/...

convention? -- I think that he mentioned the same minimum demands that I had heard about before which is the relief of political prisoners, the return of exiles. Those are the minimum demands that I do remember. I think that is all that I do recall.

COURT ADJOURNS UNTIL 14h00.