

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

A

SAAKNOMMER: CC 482/85

PRETORIA

1988-01-28

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

LUBBE OPNAMES

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COURT RESUMES ON 28 JANUARY 1988.

NOBANTU RONICA MCETYWA: d.s.s. (Through Interpreter)

EXAMINATION BY MR BIZOS: Do you live at 934 Mogoane Street, Bophelong? -- That is so.

And are you employed as a clerk by a service organisation known as the Belydende Kring? -- Yes.

Under whose auspices is that organisation established? -- Under the NG kerk.

And were you living in Bophelong during 1984? -- Yes.

Were you born and brought up there? -- Yes I was born (10) and brought up.

During 1984 how many of you lived in your house? -- Fourteen.

And what was your father's occupation in 1984? -- He was a municipality policeman.

And what was your mother doing at the time? -- She was employed in the suburbs.

COURT: In the suburbs? -- Yes.

As a domestic servant? -- Yes.

MR BIZOS: Do you know what your father was earning at the (20) time? -- Not exactly but it was not more than R300.

COURT: Per? -- Per month.

MR BIZOS: Do you know what your mother was earning? -- She was earning R45,50.

COURT: Per? -- Per month.

MR BIZOS: Was any other member of the family in permanent employment at that time?

COURT: What was your earnings? -- I was employed as a temporary unit earning R24.

MR BIZOS: R24 for what period? -- I was employed only on (30)

a/....

a Saturday and Sunday as a temporary unit.

ASSESSOR (MR KRUGEL): So was that also per month? -- No. This was per week.

COURT: Per week.

MR BIZOS: For the weekend shift that you did?

COURT: What is your age? -- I am not 31 years of age.

Are you married? -- No, single.

MR BIZOS: In the middle of 1984 other than your father, your mother and yourself was any other person in the house that earned any money? -- No. (10)

What were the other people living in the house doing? -- They were attending school.

And this temporary employment that you had was it out of choice or could you get a permanent job at the time? -- It was not out of my own choice. It was because of scarcity of permanent employment.

How far did you go at school? -- Standard nine.

Now do you recall whether in July or August 1984, whether people in Bophelong paid lodger's permit fees? -- No they were not paying. (20)

How many people over 21 were there in your house in July 1984? -- Five.

Including yourself? -- Yes.

And were any of you paying a lodger's permit fee of R10 or any other sum at that time? -- None.

Do you know what your rent was in July and August 1984 for the house? -- I would not tell because it was in fact not fixed.

COURT: How do you mean not fixed? -- By that I mean one month you would find that you have to pay more and the (30)

next/....

next month you find that you pay less. So therefore you did not know what the exact amount was for rent.

Were you charged separately for electricity and water?
-- I would not know that because the account for rental was brought there in one form as an account for everything. Now whether it was worked out separately for electricity and water I would not know that.

Now what is the use of this evidence Mr Bizos? Where does this bring us?

MR BIZOS: Yes, I will explain my lord, try and explain. (10)

Your lordship will recall that the state led evidence in relation to the circumstances in Bophelong and that trouble broke out on 29 August 1984. The state's contention in this case is that that trouble broke out as a result of a conspiracy in which the accused and the organisations of some of them were involved. Our case is that that is not so, that there was, that there were genuine grievances in the township, that there was general confusion in the township. Your lordship will hear from the witnesses that without any warning for the first time in July people over 21 were told that they (20) would have to pay lodger's permits which would have increased the sum that this family had to pay by some 50%. Your lordship will also remember that it was put in cross-examination that without any warning and despite the fact that electricity had been there for a very long time when people went to pay their rent in the beginning of August they were told that they had to pay a R50 deposit for the installation of the electricity. That matter was cross-examined on. The state asked a lot of questions about it, if I recall correctly your lordship and the learned assessor asked questions about it and (30)

we/....

we are entitled in the circumstances, with respect, to prove the state of affairs that existed in Bophelong in July and August 1984 in order to try and persuade your lordship and the learned assessor at the end of the case that there may have been a cause other than a conspiracy for the troubles that arose at the end of August and the beginning of September.

COURT: Now having said all that, the question was what does it help us if you lead evidence that the rent was not fixed, that one month it was more and the other month it was less and the witness does not know whether there was a separate (10) charge for water or electricity?

MR BIZOS: Yes, that was in answer to your lordship ...

COURT: We are left entirely in the air.

MR BIZOS: That was in answer to your lordship, it will come out that people voiced their dissatisfaction by being told at the last moment when they went there with their money at the beginning of the month to pay that their rent was more than the other. But I understood your lordship's question to be not to justify merely that one question that I had asked. I understood your lordship to call on me to justify the evi- (20) dence of the witness that has been given up to now in relation to her circumstances.

COURT: Yes.

MR BIZOS: Thank you my lord. When people went to pay the rent in the beginning of the month did they know how much they had to pay? -- They did not know.

Were they happy or unhappy about this lack of knowledge of how much they had to pay? -- They were not satisfied.

Now do you know who had established the Bophelong township? -- From what I heard that was the municipality of (30)

Vanderbijlpark./...

Vanderbijlpark.

Was the whole of the township electrified? -- Yes it has.

Did Bophelong or any portion of it require any further electrification? In 1984? -- There was none.

In July or August 1984 was there any call on the residents in relation to the electricity? -- No.

Do you know whether you had paid a deposit for the electricity?

MNR JACOBS: Edele met all respek die vraag, die getuie het nog nooit gesê dat sy 'n huis gehad het. Sy het by haar (10) vader gewoon. Sy het nie 'n deposito betaal nie. Ek kan nie verstaan hoekom mnr Bizos op hierdie stadium getuienis lei dat sy 'n deposito sal betaal het op elektrisiteit nie.

MR BIZOS: I will clarify the question. I used the word "you" in the plural, the family as a whole, but I will clarify the question. Did your family, had your family paid a deposit for the electricity?

COURT: Would she know?

MR BIZOS: She may or may ...

COURT: The objection is that she has no personal knowledge. (20) In whose name is this electricity account? -- In my father's name.

What is his name? -- Shumaeli Knox Mcetywa.

MR BIZOS: Do you know whether or not your father was called upon to pay any deposit for the electricity?

COURT: From her own knowledge or from hearsay? The objection is against the hearsay Mr Bizos.

MR BIZOS: I submit my lord that even if it is hearsay it is admissible because not for any other purpose other than that we are trying to prove what the attitude of the community, (30) including/...

including this witness, was and whether there was knowledge in the township that a deposit was required in respect of the electricity.

COURT: Yes go ahead.

MR BIZOS: Thank you my lord. Do you know whether your father had been called upon to pay a deposit for the electricity? -- No I do not know about that.

You do not know. Very well. When, prior to the council taking over the functions of administering this township do you know who was administering it? -- Yes the board. (10)

Do you know when the community council or town council took over the administration of the township? -- Yes I do.

When? -- It was in 1977.

Do you know whether or not the charges for various services to the residents of Bophelong increased or decreased after the council took over from the board? -- They were increased.

Do you know whether the, from what you have heard in your community whether the residents were happy or unhappy about these increases? -- It was not happy. (20)

I will not ask you for any details on that at this stage. Now did you vote for the councillors in the council elections in 1983? -- No I did not.

Why not? -- I was not in the district of Vanderbijlpark therefore I did not.

COURT: Were you not residing in the district or were you just temporarily absent? -- I was just gone visiting.

MR BIZOS: Were you aware of any campaign telling people not to vote for councillors in 1983? -- Yes I had that knowledge.

Do you know who organised this call calling on people (30)

not/....

not to vote for councillors? -- No I do not know.

Had you heard of the VCA during 1983? The Vaal Civic Association? -- Yes.

Did you become a member of it or did you attend any of its meetings? -- No I never attended.

Did you know whether or not it was particularly active in Bophelong? -- No I do not know that.

Do you know Mrs Dorcas Raditsela? -- Yes I know her.

How did you come to meet her? -- She was employed by the same employer with the wife to our minister of religion. (10)

COURT: Which employer? -- As a social worker.

MR BIZOS: How did you come to meet?

ASSESSOR (MR KRUGEL): Was she employed by the NG kerk? -- No.

MR BIZOS: You said that she was employed together with the minister's wife. How did you come to meet Mrs Dorcas Raditsela? -- It was as a result of a project that they, that is Mrs Raditsela and our minister's wife, were involved in this project in teaching us handwork.

And did you take part in this project? -- Yes I did.

When did this project take place? -- It started during (20) the year 1983.

For how long did it go on? -- The whole of 1983 since it started until the end of 1983 and went through into the next year 1984.

Now did Mrs Raditsela ever speak to you about the Vaal Organisation of Women? -- No she did not.

Did she ever speak to you about the VCA? -- No.

Did you ever meet her husband, Mr Raditsela? -- Yes.

How did you come to meet him? -- We used to meet when he brought his wife to Bophelong. (30)

And/....

And did you know whether or not he held any office in the Vaal Civic Association, the VCA? -- I did not know.

Did you know the priest Lord McCamel? -- Yes.

How did you know him? -- He was a minister of religion at the same time he served as a teacher in Bophelong.

Do you know, did you know in 1983 or 1984 of any position that he may have held in the Vaal Civic Association, VCA? -- I did not know.

Did you, do you know Mr Johnny Motete? -- I know him.

How did you know him? -- I came to know this person (10) through some certain youngsters who were members of a soccer team which was run by my father who originated from a place called Makwat. They used to say that they come from the same place with this person Johnny Motete.

Other than this knowledge did you have any knowledge as to whether or not he was at a time the secretary of the VCA? -- No I did not know.

During August 1984 did you hear whether or not there would be an increase in rental? -- Yes I heard of it.

And was it before or after you had heard that you would (20) have to pay a lodger's permit?

COURT: When had she heard about the payment of a lodger's permit?

MR BIZOS: I am sorry my lord I may have forgotten that I had not led her. I will ask the question rather than, I thought that I had dealt with it shortly before your lordship asked me to justify the evidence.

MNR JACOBS: Met respek wat mnr Bizos nou sê hy gaan dit lei.

Hy het daardie vraag gevra en sy het gesê sy het niks daarvan geweet nie. Dit was gelei en sy het dit ontken. (30)

MR BIZOS: /....

MR BIZOS: Not about the lodger's permit.

MR JACOBS: Yes it was the lodger's permit.

COURT: The question asked was about the lodger's permit fees in Bophelong, 83/84, they were not paid, and the question was did anybody pay in your house and none of us paid lodger's fees. That was all that was dealt with in connection with lodger's fees.

MR BIZOS: Yes, I am sorry my lord I want to ask her whether, I thought I had asked her but I am sorry but I made a mistake, that I had not asked her. Did you hear whether or not from (10) any particular date whether lodger's fees would have to be paid in Bophelong? -- I heard that.

When did you hear it? -- During the month of July.

COURT: 1984? -- In 1984 yes.

MR BIZOS: Who would have had to pay lodger's permits that did not pay it before? -- Children who are above the age of 21 in each and every house were the people who were going to start paying that permit.

And if that lodger's permit of R10 per child over 21 came into force how many of you would have had to pay? (20)

MNR JACOBS: Edele daar is dan nooit gesê dat dit R10 is nie. Ek maak beswaar teen die manier wat mnr Bizos die getuie leidende vrae stel. Die getuie het nog nooit gepraat van R10 wat dit verhoog sal word nie.

MR BIZOS: I thought that I had dealt with it. I remember asking her how many people were there more than ...

COURT: Where does the R10 come in? We have not heard of R10 yet.

MR BIZOS: I am sorry I will ask her, I had thought that I had covered this. I asked a number of people there. I (30) thought/...

thought that I dealt with the number.

COURT: I told you just now what had been led Mr Bizos, that was all that was dealt with in connection with lodger's fees.

MR BIZOS: Yes, how much would each lodger have to pay per month? -- R10 per person.

COURT: Could you just tell me. According to your knowledge was Bophelong the only place where lodger's permit fees had not been paid in the past or was that generally the position in the whole of Sebokeng? If you do not know just tell me you do not know. -- There was a payment of lodger's permits (10) but it was for the very first time that it was said a child above the age of 21 shall have to pay this lodger's permit.

So had there been payment of lodger's permits in Bophelong? -- Yes there was.

But not applicable to children? -- Not applicable to children.

Irrespective of their age? -- All we knew was that lodger's permit is payable by elderly people and not children.

MR BIZOS: Now if children over 21 in your family had to pay a lodger's fees of R10 per month and you added that to what (20) you paid on an average per month as rent what would you have had to pay per month?

MNR JACOBS: Ek wil nie elke keer opstaan nie maar sy het nie huur betaal nie. Mnr Bizos maak nou weer wat sy sou betaal het, die loseerders fooie plus die rent. Sy het nog nooit gesê sy het huur betaal nie.

MR BIZOS: What would your family have had to pay as lodger's permits and rent? I will try and be very careful. -- That added together was going to amount to R100.

COURT: And how many would then pay lodger's permit fees? (30)

-- Three/....

-- Three.

Thank you.

MR BIZOS: How did you and your family feel about this? -- We were not at all happy.

During August 1984 did your family receive any notice about any monthly rent increase? -- Yes we received that.

COURT: Oral or in writing? -- In writing.

ASSESSOR (MR KRUGEL): You said that the rent you paid per month was not a fixed amount? -- Yes I said so.

Now can you give an approximate figure per month, the (10) old rent before the increase? -- It was R70 that we came to know about.

MR BIZOS: Was an amount mentioned in the written notice that you received as to what the increase would be? -- Yes it was.

How much? -- R5,90.

Now would this have been easy for your family to pay? -- No it was not easy.

Are you a member of the NG kerk? -- Yes.

On 26 August 1984 do you recall whether or not you went to church? -- Yes I do. (20)

Did you hear anything there about a meeting? -- No not in church. I heard about that on a Saturday which was the 25th.

COURT: Of August? -- Yes.

And the meeting was to be held when? -- The 26th.

MR BIZOS: And when, at what time? -- At 14h00.

And did you go to this meeting? -- Yes I went.

What was happening when you got there?

COURT: Well could you just tell me where it was held? -- At the Anglican church. (30)

The/....

The name of the church? -- It is only known to me as an Anglican church.

It is not known as the Anglich Church, Losmycherry? -- In Bophelong. The Anglican church, Bophelong.

MR BIZOS: Yes but is it in the area of Bophelong which is known as Losmycherry? -- No.

Right. What was happening when you got there? -- There was a person who was a speaker busy addressing the meeting.

This person was standing right in front.

How many people were there more or less? -- A hundred (10) plus.

And you say there was a person talking to them? -- Yes.

Do you know this person? -- I would not say I know this person but I heard people calling this person Ngwenyama.

A young person, middle aged, old? -- It is an old person.

COURT: Just for record purposes how do we spell it?

N-g-w-e-n-y-a-m-a? -- That is correct.

MR BIZOS: Was he on the floor or any sort of platform? -- He was standing up front there.

Was he alone there up front or were there others? -- (20) He was not alone. There were other people behind him.

Yes. What was he saying? -- He was talking about the increase on rent.

Yes, what did he say about it? -- He was asking from the audience whether they were satisfied about the increase on rent.

Did he speak about anything else? -- Yes he did.

What? -- He was saying he as a parent has got to pay rent and again here it is said that his own children are also supposed to pay lodger's permits. (30)

Did/....

Did he speak about anything else? -- Yes.

What did he speak about? -- He then asked the feeling from the people present, that is the audience, what is their comment on that.

COURT: What did they say? -- The people said because of the fact that we were not called to any meeting to be told about this increase and the situation as put to us by you now we are prepared to call the councillors to a meeting where they will have to explain to us about this.

MR BIZOS: Yes, anything else said? -- The audience agreed (10) with him.

And was there any decision taken there at that meeting? -- Yes there was.

What was the decision? -- The decision was that we were going to choose ten people who will be elected among the audience there who will go to the houses of the councillors.

COURT: To do what? -- To go and inform the councillors about a meeting which will be called by the residents of the township.

MR BIZOS: Was any date suggested for this meeting? -- Yes (20) there was.

Which date was suggested? -- The 28th.

And how many people would you say spoke at this meeting?

ASSESSOR (MR KRUGEL): The meeting of the 26th?

MR BIZOS: Of the 26th, yes. -- I would say ten plus.

Did any one of them say that this rent and the introduction of lodger's permits for children was a good thing and that it should be supported? -- No none of them ever said that.

Was there any talk as to whether the people there present should or should not pay the increase and the new lodger's (30) permit/...

permit fee for children? -- Yes.

What was said? -- What was said was we are not going to pay this until such a time we get an explanation.

From whom? -- From the councillors.

And was this just mentioned or did the meeting agree that this should happen? -- It ended up being an agreement of the meeting.

Other than these two decisions, that you should call the councillors to a meeting on the 28th and that you would not pay the increase and the lodger's permit were there any (10) other decisions at this meeting? -- Yes there was.

What other decisions? -- That they should resign.

Why? -- Because of their having failed to fulfil their promises.

What, were any promises referred to? -- Yes these were mentioned.

Yes. Any other decision? Except those? -- There was no other decision except these.

Was there any singing at this meeting? -- Yes there was.

What songs were sung? -- The songs sung there were (20) Senzeni na and Nkosi Sikelele iAfrika.

Now this Senzeni na, were you familiar with it? -- Yes I am.

Did you sing it? -- Yes I did.

What is the significance of singing Senzeni na? -- This song is being sung whenever there is something which makes you feel bad or causing some misery to you. In this song the message is that you are asking yourself what wrong have you done to deserve this.

COURT: And is there an answer? -- If there is an answer (30)

at/...

at that moment then you do find an answer.

But does the song give an answer? -- No the song itself does not give an answer but the more you sing, going ahead with the singing, at the same time thinking you end up finding an answer.

MR BIZOS: Now you told us that you knew Mrs Raditsela and Mr Raditsela? Was Mr Raditsela at this meeting? -- He was not there.

Was Mrs Raditsela at this meeting? -- She was not there.

Had Mr Raditsela come to this meeting either as a (10) spectator or as a speaker or as both would you have seen him? -- It would not have happened that I did not see him.

You told us that one of the decisions was to call the councillors to a meeting on the 28th. Was there a place at which you were to meet the councillors on the 28th? -- Yes there was a venue mentioned.

Where was the meeting to take place? -- At the hall in Bophelong.

Which hall? -- The community hall in Bophelong.

Did you go to that meeting on 28 August 1984? -- Yes (20) I did.

And were there many other people there? -- Yes there were.

How many would you estimate? -- Three hundred to four hundred.

And what sort of age group of people were there? Who were in the majority, age group? From the point of view of age? -- Between fifty and eighty was in the majority.

COURT: Fifty and eighty? -- That is correct.

MR BIZOS: And you told us that the purpose was to meet the councillors. Did the councillors come? -- They did not come. (30)

Were/....

Were any reports made by the people who were supposed to go and inform them of the meeting? -- Yes we got a report from a Mr Nhlapo.

What was his report? -- That they left this letter with one of the councillors.

Yes.

COURT: Who was the chairman of this meeting? -- I would say Mr Nhlapo was the chairman, who gave a report back.

MR BIZOS: Did you know Mr Nhlapo? -- I knew him only by sight. I did not know him well then. (10)

Did you know whether he had anything to do with the Vaal Civic Association, the VCA? -- I did not know.

Was Mr Johnny Motete or Mr, or the Reverend McCamel there? -- I would not say except to say that I did not see them.

Did the people there assembled wait for a short while or for a long while for the councillors to come? -- I would say we waited there from 18h00 to 19h00.

Was the name of any councillor given with whom a letter had been left? -- Ramakhule was the name mentioned.

Was the report, the report you said was that the letter was left. Was there any indication whether it was left with him personally or just left at his house? -- The report was that the letter was given to him in his hands. (20)

COURT: Why had ten people been necessary to deliver one letter? -- Well it was decided by the people who were at this meeting that it must be done in that way.

MR BIZOS: Did the report indicate whether or not Mr Ramakhule was to do anything in relation to other councillors? -- Yes that was made clear.

What was made clear? -- The message in the letter that/... (30)

that the message was that he must pass the message on to other councillors.

You say that you waited for about an hour and then left. How did the people feel about the absence of the councillors at this meeting? -- They were not happy because they looked like people who were fooled.

This hall, you called it the community hall, who is it actually controlled by, who do you have to make a booking with, who has got to open it up if you want to have a meeting there? -- As far as I know Nes Daisy(?) was in charge. (10)

And who controls him?

COURT: I am sorry, Nurse Daisy? -- Daisy.

Give me the first name? -- Her first name is Daisy, she is known to me as Nurse Daisy.

MR BIZOS: I thought she said Nes Daisy and I took it to be a ...

COURT: Well could you not ask your witness whether she has personal knowledge of all this?

MR BIZOS: Well she apparently has judging by her answer.

COURT: Who controls Nurse Daisy. She has personal know- (20)
ledge who controls Nurse Daisy apart from her husband.

MR BIZOS: In relation to the hall who has the say who can use the hall and who cannot use the hall?

COURT: Do you have personal knowledge of these facts or are you merely talking of hearsay? -- I have a personal knowledge in the sense that I at one stage needed the services of that hall. Then I had to go and speak to her.

You booked it with Nurse Daisy? -- What was said is that she has got the keys.

MR BIZOS: Is this a privately owned hall? -- It is a (30)
community/...

community hall.

And who controls community property in Bophelong? --
That I would not say. I was surprised when I was referred to
here.

The next day, 29 August 1984, did you hear whether or not
there was going to be a meeting? -- Yes I heard of that.

COURT ADJOURNS FOR TEA. COURT RESUMES.

NOBANTU RONICA MCETYWA: d.s.s. (Through Interpreter)

FURTHER EXAMINATION BY MR BIZOS: You told us that you heard
that there would be a meeting on the 29th, how did you hear (10)
that? -- I came to hear about that when it was announced in
the streets.

How was it announced? -- The superintendant of the town-
ship was travelling in a van.

And did he announce it with a loudhailer? -- Yes.

Did he say what the purpose of the meeting would be? --
No he did not say.

COURT: Did he say who was holding the meeting? -- Yes he did.

MR BIZOS: Who? -- The councillors were holding that meeting
according to him. (20)

And was it said where the meeting would be? -- Yes.

Where? -- It was going to be held in the Bophelong hall.

Was that the same hall that you had gathered in the
previous evening of the 28th or a different hall? -- Yes that
is the hall.

Did you go to this meeting? -- I did.

Were there any councillors there? -- On my arrival they
had not come yet.

Did they come there after? -- Yes.

Who came? Which councillors? -- I saw some of the (30)

councillors/....

councillors of Bophelong, Mahlatsi and other strange people who were also councillors I believe, but they were not known to me.

Which councillors were known to you? -- Mngcina, Ramakhule.

And Mr Mahlatsi? -- Yes and Mahlatsi.

COURT: Would you spell for the record Mngcina? -- M-n-g-c-i-n-a.
That is Mngcina.

MR BIZOS: Yes and what happened? -- When these people arrived they came into the hall and went up onto the stage. While being there I noticed that one of the people whom I took (10) was a councillor who came with these people there was walking up and down in that stage. This person had something in his pocket in a shape of a gun.

COURT: In his jacket pocket or his trousers pocket? --
Trousers pocket.

ASSESSOR (MR KRUGEL): Was this Mr Esau Mahlatsi? -- Yes.

COURT: Well just to get the record straight is that the Mr Mahlatsi who had the thing in the shape of a gun or somebody else? -- No it is not him.

MR BIZOS: And Mr Esau Mahlatsi is he the mayor of Lekoa? (20)
-- That is the person.

Yes. How many people were there in this hall on the 29th?
-- I would say about eight hundred.

What happened at the beginning of this meeting? --
Councillor Mngcina requested another man there to open this meeting with a prayer.

And was a prayer offered, do you know the person that offered the prayer? -- Yes I do.

Who was it? -- Mr Motsoari.

COURT: M-o-t-s? -- It is M-o-t-s-o-a-r-i. (30)

MR BIZOS:/....

MR BIZOS: And after the prayer did anyone speak? -- Yes
Councillor Ramakhule.

What did he say? -- He first made mention of the letter he received, that is reporting to the audience about the letter he received.

Yes what did he say about that? -- Saying that in this there was a request by the community to have a meeting with the councillors to come and explain the increase in respect of the things that they are referring to.

Yes? -- He, Ramakhule, then thereafter invited one of (10)
the residents to come forward and ask the questions in the form of asking for clarification on the things that they, the community, are complaining about.

Yes? -- A certain lady came forward to put the complaints of the community as follows, namely number one it was first said that the children above the age of 21 were to pay a lodger's permit of R10 per person. While they were still faced with that, trying to see what the justification was on that they received some notices indicating that the rent has been increased by the amount of R5,90. Whilst still sur- (20)
prised by that, going to the office to find out as to how that could happen, they were met with another notice saying that they have to pay a deposit amounting to R50 in respect of the electricity. She then said those were their complaints on which the councillors were to explain.

Do you know this woman? -- Yes I do.

Who was she? -- Mrs Mkhotsi.

COURT: Spell it? -- It is a Sotho spelling, I am not too sure, it is M-k-h-o-t-s-i.

MR BIZOS: Do you remember whether she said anything else? (30)

-- Yes/....

-- Yes she said something further than that.

Do you remember what it was? -- She then said if they are not capable of doing this kind of work it will be better for them to resign the positions.

Yes, what happened then? -- Councillor Ramakhule then replied to the question of the R50.

What did he say? -- Saying that those people that came to him were told by him that there were no final decisions about this question of the R50 as a result of which he then, Ramakhule, told those people not to pay the R50. (10)

C.1093 Yes? What else was said by Mr Ramakhule, can you remember?

-- No not that I remember.

What was the response of the people present when Mr Ramakhule said that? -- The question then to him was if you are talking about the people who came to you to whom you told what to do what do you say about the people who are unable to walk.

Yes, what else was said? -- There was another question which followed from the audience. This was if they the councillors are deciding to increase the rent by that amount(20) without having consulted with the community what do they think where are these people, for instance pensioners and the unemployed people, going to get the money to pay this rent.

Any response to that? -- No there was no response at all, instead I became aware of the police who entered the hall.

Just before the police entered the hall what was happening in the hall? -- People were mumbling as a result of which there was no order. Everybody wanted to speak. They did not want to give each other a chance.

And was it whilst this was happening that the police (30)

came/....

came in? -- Yes it was during that time, exactly that time.

How were the policemen dressed? -- They were dressed in the SAP uniform and some in soldier's uniform.

Did they carry anything in their hands? -- Yes firearms.

What sort of firearms, handguns or anything bigger? -- To describe that I am going to say those were big firearms.

And how did, did the police walk in one by one or did they walk in as one large group, how did they come in? -- They got in there in a group.

COURT: How many were there? -- They were entering this (10) hall in twos, they were eight in number.

MR BIZOS: How were they entering the hall in twos? -- They were entering the hall in one group with back to back.

And as they were entering in pairs back to back where did they go? -- They took a position by standing right in front of the stage.

And did anybody in the audience say anything about this? -- I would not say that a person said something. A number of people uttered some words simultaneously.

What words did they utter? -- The words uttered by (20) them was the following "What do policemen want in the hall which belongs to the community".

Yes and when that was, those words were uttered what happened? -- Mahlatsi then requested the police to leave the hall.

Did they leave the hall? -- Yes they left.

Did they go out of the hall? -- Yes they went outside.

When they went outside did anybody speak again? -- Nobody spoke, people there were all cross.

COURT: Yes now tell us what happened. -- Immediately when (30) the/....

the police had left the hall then the lights went off as a result of which it was dark in this hall.

Yes and then? -- Immediately thereafter the police came in through the back door of the hall and left the hall with the councillors.

Yes and then what happened? -- After they, the councillors, had left the hall with the police then the police in turn fired some teargas into the hall.

MR BIZOS:

And what did the people in the hall do whilst teargas was fired into the hall? -- The people left the hall, rushing for the exit. As a result there was a commotion at the door. (10)

COURT: Did the lights come on again? -- No I will not tell because at the time when I left the hall myself it was still dark.

MR BIZOS: Did anyone at this meeting of the 29th threaten violence at all? -- No.

Were you affected by the teargas in any way? -- Yes I was.

When you left the hall did you see anyone behaving in a violent manner? -- I would not tell because we were all running. (20)

Now you told us that you had part time employment at that time. -- Yes that is what I said.

Was that on Saturdays and Sundays?

COURT: Yes she has already said so, R24 per week.

MR BIZOS: Did your father and mother go to work on the morning of the 3rd? -- Yes they did.

Did your brothers and sisters go to school on Monday the 3rd? -- They did not. (30)

Why/....

Why? -- These children made a report to both my parents, namely my father and mother, to say that the teachers told them the children that they the teachers will not be at school on Monday.

COURT: Were they at school in Bophelong? -- No.

Where did they go to school? -- Some in Boipatong, some in Sharpeville.

Thank you.

MR BIZOS: Were you aware of any general call to stay away from work to the people of Bophelong? -- No I did not know (10) a thing about that.

Did you know of any march that was supposed to take place from Bophelong to any, either in Bophelong or to any other place on the morning of the 3rd? -- I did not hear anything about that.

Were you in Bophelong between the 30 August and 2 September 1984? -- Yes I was.

Did things run smoothly and normally in Bophelong during this period or not? -- Everything was normal and went on as usual. (20)

COURT: Just to clarify my mind is Bophelong also called Tshirela? -- No.

What is called Tshirela? -- This is also in the district of Vanderbijlpark but it is another township altogether which does not form part of Bophelong.

Does it lie next to Bophelong? -- No.

And it is also not Boipatong? -- It is called Boipatong.

Tshirela and Boipatong are the same thing? -- That is one thing yes.

Thank you. (30)

MR BIZOS: /....

MR BIZOS: Was there a police presence in Bophelong during this period? -- Yes there was.

COURT: What do you mean by a police presence? -- They were found to be patrolling the streets all the time.

MR BIZOS: On the evening of the 2nd after you came back from work did you go out during the evening? -- Yes I did.

Did you see or hear anything extraordinary on this outing? -- Yes there is.

What and at what time? -- It was in the evening, I was on my way to the shopping centre. Just when I was about to (10) reach the shopping centre I noticed that there were children running away from this shopping centre I was getting to.

COURT: Why were they running away? -- On asking them as to why they were running away they reported to me that there are some soldiers who are chasing them away from the shops saying that they do not want to see children in the vicinity of the shopping centres.

What time was this? -- At about 18h00.

MR BIZOS: Did you get to the shops? -- No I did not.

Why not? -- On noticing the soldiers chasing the children (20) away I also then decided to, I then ran away.

Why did you run away? -- I was scared of being also hit.

Why did you think that you would be hit? -- That was because they did not make a difference whether you were a grown up person or not.

Later that evening did you see or hear anything unusual? -- I heard some noise.

What noise did you hear? -- From a gun.

COURT: When was that? -- At about 20h00.

MR BIZOS: Where? -- This noise I heard was from a direction (30)

of/....

of a shebeen.

Has it got a name or any other way in which we can identify it.

INTERPRETER: I beg your pardon the word used by the witness is ambiguous. I took it to mean a shebeen yet she meant a beer hall.

COURT: Is there only one beer hall in Bophelong? -- Yes there is only one.

MR BIZOS: Yes did you go out and try and see what was going on? -- Yes I went out of the house as far as the gate. (10)

Yes, could you see anything? -- No I could not see what was happening.

After a while did you see any movement on the streets? -- Yes I noticed some people.

What sort of people did you notice? -- People who were clad in some kind of clothes that one was not used to which clothes were not common.

Please describe those uncommon clothes? -- These people were clad in long overcoats which were ankle length and they had some caps. These caps were pulled down their faces (20) making it difficult for one to see in order to identify the person. Some with the same kind of coats and with balaclava hats pulled down their faces, covering the face altogether.

How many of them were there? -- They were walking in two groups. My estimation of the number of people in each group was in one group there were fifteen plus and the other group in number then were ten plus.

Could you see whether or not they were armed or whether they had anything with them? -- Because of the manner in which they were clad I was not in a position to see that. (30)

Did/...

Did one or other in this group say anything as they were moving along? -- Yes.

What? -- I heard them saying they have found Phalane's son but those that have found him we are also going to find them.

COURT: How do you spell the Phalane? -- P-h-a-l-a-n-e.

At what time was this? -- Between 20h00 and 21h00.

MR BIZOS: Did you know what they were referring to when they mentioned Phalane's son, did that mean anything to you? -- I did not understand what they meant by that. (10)

Later that night did you see anything further untoward that was happening? -- Yes.

What? -- I noticed some smoke in the direction of the shopping centre.

COURT: What time was this? -- I would not say exactly what time it was but it was after 21h00, before 22h00 is my estimation of time.

MR BIZOS: What did you do during the day of the 3rd? -- I did not do anything.

Did you go out at all and see what was happening in the(20) township? -- I went up out as far as the corner and returned.

What was happening, did you see what was happening? -- Nothing in particular that I became aware of except to see the soldiers and the police who were patrolling the streets there.

Thank you My Lord, I have no further questions.

K1094 KRUISONDERVRAGING DEUR MNR. FICK : Ek wil met u begin by die verkiesing van die raadslede in 1983. U het vir die hof gesê u was bewus daarvan dat daar 'n kampanje aan die gang is om die mense te kry om nie te stem vir die raadslede nie. -- Ja, ek het so gesê. (30)

Hoe/...

Hoe weet jy van die kampanje? -- Dit was as gevolg van die papiere.

Is dit plakkate en pamflette wat jy gesien het? -- Ek sal nie die verskil kan maak van die soort papiere nie. Dit is net papiere wat ons gekry het om te lees wat die inhoud daarvan was.

Het u dit gelees? -- Ja, ek het.

En hoe het die papiere gesê van waar kom hulle? Wie vra julle moet nie stem nie? -- Ek kan nie onthou dat dit wel bekend gemaak was nie. (10)

U edele, ek wil net na twee dokumente verwys. BEWYSSTUK AL103 en AM38. Ek sal myne vir die getuie toon. Dit is nie geskryf op nie. AL103 is skynbaar 'n plakkaat wat sê "Do not vote in the apartheid elections. Forward to freedom." Kan u vir die hof sê, was dit dalk een van die goed wat u gesien het? -- Nee, ek kan nie onthou dat ek so 'n papier gesien het nie.

Ek wil dan aan u toon BEWYSSTUK AM38. Herken u hierdie dokument? -- Nee, ek herken dit nie.

U sê u was ook bewus in 1983 ... (Mr Bizos intervenes) (20)
MR BIZOS : May I remind your lordship with respect, I did not want to object earlier, but AL103 according to the evidence of Mr Molefe only came into existence in July 1984 and had nothing to do with the council elections and he was not challenged on that evidence.

COURT : Well, is there an objection against the use of AL103 in putting it to the witness?

MR BIZOS : This is why I did not object then, but I merely to recall to your lordship's memory what the evidence was in relation to this, because it was done once before and I drew (30)
your/...

your lordship's attention to it without any objection from anyone.

MNR. FICK : Waarom die staat dit gedoen het, ek het dit gedoen op die basis van die getuienis van raadslid P. Mokoena in volume 70 op bladsy 2 154 waar hy gesê het hierdie dokument was versprei.

HOF : Dankie.

MNR. FICK : U sê verder vir die hof in 1983 was u bewus van 'n organisasie bekend as die VCA? -- Ek het nie geweet nie.

Het u nie geweet van die VCA in 1983 nie? -- Ek het (10) nie geweet nie.

HOF : Ook nie in 1984 nie? -- Ek het van die bestaan van die organisasie gehoor in die jaar 1984, maar waarvoor dit gestaan het, die werk wat hy gedoen het, het ek nie geweet nie.

MNR. FICK : Het u geweet waar bestaan die organisasie? Watter plek bestaan die organisasie? -- Nee, ek het nie geweet waar dit bestaan nie.

Ken u 'n persoon met die naam van Bonani Mafa? -- Ja.

Van waar ken u hom? -- Ons het in dieselfde straat (20) gewoon.

Was u vriende met hom? -- Ons was nie vriende nie.

Het u gereeld met mekaar gepraat as u mekaar teëkom? -- Hy was kleiner as ek. So, daar was niks wat ek met hom kon bespreek nie.

U het nie geweet of hy dalk die verteenwoordiger van die VCA in Bophelong was nie? -- Ek het nie geweet nie.

HOF : Hoeveel jonger as hy is u? -- As ek moet skat was ek vier jaar ouer as hy.

MNR. FICK : Het u nooit bewus geword van enige vergaderings(30)

wat/...

wat die VCA gehou het in enige van die woongebiede daar in die Vaal nie? -- Ek het nie kennis gekry daarvan nie.

Dorcas Raditsela, hoe lank het u haar geken in 1984? -- Vir 'n kort tyd.

Wat is 'n kort tyd? -- Ongeveer vyf maande.

HOF : Van wanneer af? -- Sedert 1983 was dit vyf maande gewees wat ek haar geken het.

Dit help ons nou nie baie nie.

MNR. FICK : Watter maande in 1983 het u haar geken? -- Ons het mekaar vir die eerste keer ontmoet in Augustus 1983. (10) Nog 'n ding, sy het nie dikwels daar by die werk gekom waar ek was nie.

Wat se projek het u en Dorcas aan saam gewerk? -- Dit was breiwerk en naaldwerk.

Het jy in 1983 gewerk? -- Ek het nie gewerk nie.

Wat beteken u antwoord dan dat Dorcas nie dikwels daar by u werk gekom het nie? -- Die werk wat ek van praat is die werk wat sy vir ons geleer het.

En in die tyd het u nooit van Dorcas verneem dat sy aan 'n vroue-organisasie behoort nie? -- Nee, ek het dit (20) nooit verneem nie.

Het u geweet van die bestaan van 'n vroue-organisasie Vaal Organisation of Women? -- Ek het nie daarvan geweet nie.

Die vergadering van 26 Augustus 1984 wil ek u oor uitvra. Waar het u gehoor van hierdie vergadering? -- Ek het 'n papier gekry.

Van wie af? -- Ek het dit in die straat opgetel.

Deur wie was die papier uitgegee? -- Ek kan nie sê nie. Ek onthou nie. (30)

Maar/...

Maar was u nie nuuskierig om uit te vind na wie se vergadering u toe gaan nie? -- Nee, ek het nie daardie belang gehad nie.

U kan mos nie so 'n antwoord gee nie? U kan mos nie sê u het nie 'n belang by 'n vergadering wat u na toe gaan nie? -- Ek kan sê, want ek het eintlik persoonlik niks te doen gehad met die vergadering nie.

Nou waaroor het u dan gegaan in die eerste plek? -- Omdat my ouers my gestuur het, het ek gegaan.

Hoekom het u ouers u gestuur? -- Dat ek namens hulle (10) daar moet gaan hoor.

Wat se dag was 26 Augustus 1984? -- Dit was 'n Sondag.

Nou hoekom het u ouers nie self gegaan nie? -- Hulle was werk toe.

Maar u werk ook Saterdag en Sondag? -- Die betrokke Sondag was my dag wat ek af diens was. Rusdag.

Het u 'n rusdag as u net naweke werk? Dit klink baie eienaardig? -- Ja, ek het.

Die papier wat u gekry het, waar sê u waar het u die papier gekry wat gesê het van die vergadering van die (20) 26ste? -- Ek het dit in die straat opgetel?

Het u alleen na hierdie vergadering toe gegaan? -- Van die huis af, ja.

Is u suster nie saam met u nie? Een van u susters? -- Nee.

Wanneer het u hierdie papier opgetel wat vir u vertel het van die vergadering van die 26ste? -- Die middag van die 25ste.

Watter tyd? -- Dit was in die middag. Ek kan nie sê hoe laat dit was nie. (30)

Wat/...

Wat het u op daardie stadium in die straat gemaak? --
Ek was op pad vanaf die winkel.

Het u nie toe gaan werk nie? -- Ek het gewerk.

Nou wat maak u dan in die straat? -- Ek sê dan ek was
op pad vanaf die winkel.

Waar het u gewerk daardie tyd? -- Checkers.

Is Checkers Sondae oop? -- Ja.

Het u van die - behalwe die persoon wat u noem Ngiwane,
die ou persoon wat gepraat het, het u enige van die ander
sprekers geken op die vergadering? (10)

HOF : Wag net so 'n bietjie. Wat is die naam wat u noem?

MNR. FICK : Ek het dit N-g-i-w-a-n-e.

HOF : Ngwenyama het ek êrens gehoor. -- Ngwenyama.

Is dit die persoon wat u na verwys?

MNR. FICK : Die ou persoon wat gepraat het op die vergade-
ring.

HOF : Is dit die naam wat u wil noem?

MNR. FICK : Dit is die naam.

HOF : Ons aanvaar hy is genoem.

MNR. FICK : Behalwe hierdie persoon, het u enige van die (20)
ander sprekers geken op hierdie vergadering? -- Ja, daar was.

Wie was die ander sprekers wat u geken het? -- Ek sal
nie die name kan sê nie, want ek het nie geweet wat die
persone se name was nie.

Is hierdie persoon, die ou man, die enigste een wie se
naam u onthou wat op hierdie vergadering gepraat het? -- Ja,
hy is die enigste

U sê daar is tien persone aangewys op die vergadering
van 26 Augustus? -- Ja, ek sê so.

Een van die tien persone, was hy die leier van hierdie (30)
groep/...

groep? Was daar 'n leier van hierdie tien? -- Nee, daar was nie.

Het u enige van hierdie tien persone geken? -- Ek het net een geken.

Wie? -- Nhlapo.

Was al tien persone mans of was daar dames tussen hulle? -- Mans en vrouens.

En u sê die taak van hierdie tien persone was om na die raadslede se huise toe te gaan en vir die raadslede te sê hulle moet na 'n vergadering toe kom met die inwoners? -- (10) Ja, dit was so gewees.

Behalwe hierdie tien persone wat aangewys is wat met die raadslede moes gaan praat, was daar enige ander besluite geneem op hierdie vergadering van 26 Augustus? -- Nee, daar was nie 'n ander besluit gewees nie.

Waar in hierdie saal het u gesit op 26 Augustus 1984? -- Op watter stadium?

Toe u ingekom het? -- Naby die deur.

Voor, agter, middel, waar? -- By die deur wat aan die voorkant is. Dit is die deur wat gebruik was as 'n toegang (20) tot die saal.

U vra nou vir my op watter stadium. Het u dan rondgeskuif gedurende die vergadering? -- Dit is omdat ek nooit gaan sit het nie. Met my aankoms daar het ek nie sitplek gehad nie. Ek het die heeltyd gestaan.

Op dieselfde plek altyd by die deur? -- Ja.

Ken u vir Edith Lethlake? -- Nee, ek ken haar nie.

Was u belangstelling by die verhoog gewees die heeltyd met die vergadering? -- Ja.

Was Bonani Mafa op hierdie vergadering van 26 Augustus (30)

1984/...

1984? -- Hy was nie daar nie.

Wie was die voorsitter van hierdie vergadering op 26 Augustus? -- Ek het alreeds gesê dit was mnr. Ngwenyama.

Behoort hierdie persoon wat u nou genoem het aan enige organisasie wat u van weet? -- Nee, ek weet niks van hom nie.

U het netnou vir my gesê in kruisondervraging daar was net hierdie een resolusie geneem op die vergadering van 26 Augustus en dit is naamlik dat hierdie tien persone moet gaan praat met die raadslede. Is dit korrek? -- Ja, dit is so.

U sien, ek wil dit aan u stel u is nie 'n geloofwaardige(10) getuie nie? -- Hoekom?

Want u het in u hoofgetuienis gesê daar is 'n klomp ander resolusies ook geneem op hierdie vergadering? Naamlik dat die mense nie hierdie loseerderspermitte gaan betaal nie voordat hulle nie 'n verduideliking van die raadslede gekry het nie en verder was daar besluit dat die raadslede moet bedank. Wat sê u nou? -- Nee, ek sal dit nie betwis nie, maar u vraag, volgens ek dit verstaan het, was beperk tot die laaste resolusie op hierdie vergadering. Daar was wel ander besluite geneem, maar wat ek nie as resolusies aanvaar het daar nie.(20) Dit is hoekom ek op hierdie vraag so geantwoord het.

Is daar wat u betref 'n verskil tussen 'n besluit op 'n vergadering en 'n resolusie op 'n vergadering? -- Daar is 'n verskil.

Vertel vir die hof wat is die verskil tussen 'n besluit en 'n resolusie op 'n vergadering? -- Die besluite, gewone besluite is wanneer mense op iets besluit en die resolusies wat die laaste besluit is volgens my, is besluite wat nie 'n antwoord nodig het nie. Wat net besluit word kyk, dit is wat gebeur. (30)

Ek/...

Ek wil niks verder hierby stilstaan nie, behalwe om te sê jou verduideliking is onsinnig? -- Ek sê daar is sin. Die enigste ding is dat u nie wil verstaan nie.

Is dit nie moontlik dat Esau Raditsela wel daar by die vergadering aangekom het, maar dat u hom nie gesien het nie omdat u daar vir die verhoog gestaan en kyk het? -- Ek sal dit nie kan sê nie. Met my aankoms daar het die mense alreeds in die saal vergader. Ek het hom nie daar gesien nie.

Hy kon daar gewees het met ander woorde sonder dat u hom gesien het? -- Ek kan so sê, ja. (20)

Wil u net vir die hof sê wat se besluite is op hierdie vergadering geneem van 26 Augustus en wat se resolusies is daar aanvaar? -- Dat die raadslede moet kom verduidelik oor die verhoging van die huur, is een van die besluite wat geneem was wat h antwoord benodig het. En hoekom dit verhoog word en as hulle voel dat hulle nie die werk kan uitvoer nie, dan moet hulle bedank, wat nie antwoorde nodig gehad het nie. Dit is nou waar tien persone gekies word dat hulle die raadslede moet gaan roep vir die vergadering. Dit het nie h antwoord benodig nie. (20)

Is dit al, die besluite en resolusies wat aanvaar is? -- Dit al, ja.

h Besluit dat die raadslede moet bedank, is dit h besluit of h resoluëie volgens u? -- Dit is h besluit waarop h antwoord verwag word.

Het julle op hierdie vergadering gepraat oor wat gaan gebeur as hierdie raadslede nou nie wil bedank nie? -- Dit was nie bespreek nie.

Het julle bespreek wat gaan gebeur as julle besluit julle betaal nie die huur of die loseerderspermitte nie? (30)

Ons/...

-- Ons het niks daaromtrent bespreek nie.

HOF VERDAAG.

HOF HERVAT.

NOBANTU RONICA MCETYWA, nog onder eed

VERDERE KRUISONDERVRAGING DEUR MNR. FICK : Ons het laas by 26 Augustus 1984 se vergadering stil gestaan. Het niemand op daardie vergadering, toe julle nou eis die raadslede moet bedank, gevra maar kyk wat kom in hulle plekke, gaan ons ander verkiesings vra of wat gaan ons maak nie? -- Daar was, ja.

Het niemand gesê maar wag so 'n bietjie, as ons nou (10) ophou betaal dan gaan die mense ons uitsit nie?

HOF : Was die antwoord ja, daar was? -- Ja, daar was iemand wat dit gevra het.

En wat was die antwoord'gewees? -- Die antwoord was dat die mense ons nie tevrede stel nie, ons sien nou nie weer kans om nog ander mense te kies nie.

MNR. FICK : En het julle toe verder bespreek wie gaan Bophelong administreer? -- Ons het dit nie by daardie tyd bespreek nie.

En het u nie gewonder op die vergadering toe hulle sê hulle wil nie ander raadslede hê maar wat gaan nou gebeur(20) nie? -- Nee, ons het nie daaromtrent besluit nie.

Was julle net tevrede om die raadstelsel te vernietig?
-- Dit is so.

En toe daar nou gepraat van julle gaan nou ophou om te betaal aan die verhoogde huur en die loseerderspermitte, het iemand op die vergadering gesê maar wag so 'n bietjie, ons gaan uitgesit word uit ons huise uit? -- Niemand nie.

Maar is dit wat u wou gehad het om uitgesit te word in die straat? -- Ons wou dit nie gehad het nie.

U het nie besluit om te praat op die vergadering en (30)

te/...

te sê maar wat gaan gebeur, ons gaan uitgesit word nie? -- Ek was daar gewees om namens my ouers te gaan luister wat daar gesê word. Met ander woorde, myne daar was net om te luister en niks te sê nie.

Het julle gestem oor hierdie besluite of resolusies, laat ons dan nou maar altwee noem, wat julle op die vergadering aangeneem het? -- Nee, daar was nie gestem gewees op daardie tydstip nie.

Hoe is dit aanvaar dan deur die vergadering? -- Wat gebeur het, is die mense daar teenwoordig het net almal (10) gesê ons stem saam, na aanleiding van wat iemand daar voor as h spreker gesê het.

U ook? -- Ja.

So, u het nie net gaan luister nie, u het gestem? -- Dit was so, ja.

Dan vra ek u weer wat ek u netnou gevra het, het u nie self gedink maar ons gaan uitgesit word en op die straat sit as ek so stem nie? -- Dit het nie in my gedagte gekom nie en van die persone teenwoordig by hierdie vergadering almal het daar gepraat met vrede. Niemand was besig om (20) te baklei nie. Met ander woorde, as h persoon uit die huis gesit word, is dit h aanduiding dat wie ook al dit doen besig is om te baklei.

Is die raadslede op hierdie vergadering uitgeskel of uitgekryt vir "puppets" of "sell-outs"? -- Daar was gesê dat hulle "puppets" was.

Hoekom is hulle "puppets" genoem? Hoekom is gesê hulle is "puppets"? -- Dit is omdat hulle gestuur word om iets te doen en dit word deur hulle gedoen sonder om enige vrae te vra en so h persoon wat net h ding sal doen sonder om (30)

te/...

te weet wat gedoen moet word, word beskryf as 'n "puppet".

Is dit wat die persoon op die vergadering gesê het hoekom hy die raadslede "puppets" noem? -- Dit was nie net een persoon se woorde nie. Almal daar teenwoordig.

Was die mense opgewonde? -- Hulle het 'n aanduiding gegee dat hulle nie tevrede was nie.

Was hulle kwaad omdat die raadslede die huur verhoog het sonder om hulle te ken, soos u nou sê? -- Dit is so.

Hulle was baie kwaad? -- Net so.

Ek wil eers met u teruggaan na 'n ander aspek toe (10) voordat ek aangaan met die vergadering van die 26ste. U het 'n suster met die naam van Cynthia Nomabongo en sy is getroud met Isaac Vilakazi? -- Ja, ek het.

Sy bly ook in Bophelong? -- Ja.

ASSESSOR (MNR. KRUGEL) : Is dit u eie suster? -- My eie suster, ja.

MNR. FICK : Bly sy en Isaac in dieselfde huis as waar u gebly het in Bophelong in 1984 of het sy in 'n ander huis gebly? -- Hulle het 'n huis van hulle eie.

U het vir die hof gesê ook u ken vir Johnny Motete? -- (20) Ek het so gesê.

Is dit ook so u het 'n broer met die naam van Toto? -- Ja, ek het.

Octavia is sy ander naam? -- Ja.

Johnny Motete en die broer van jou, Toto, was bekend met mekaar? -- Dit weet ek nie.

Maar het Johnny nie baie by julle huis gekom nie? -- Nee.

Waar is hierdie broer Toto vandag? -- Ek weet nie waar hy is nie.

Is hy nie die land uit nie? -- Ek weet nie daarvan (30)

nie/...

nie.

HOF : Wanneer het u hom laas gesien dan? -- Gedurende 1984.

MNR. FICK : Voor die moeilikheid in die Vaal op 3 September?

-- Dit is so, ja.

Is dit nie so dat jou broer en Johnny Motete was gearres-
teer gewees in 1983 nie? -- Nee, dit is nie die waarheid
nie.

Dit was in verband met betogings teen die raadslede se
verkiesings in November 1983? -- Ek weet nie daarvan nie.

Is dit nie so dat jou ma Johnny Motete verwyd dat hy(10)
die oorsaak is dat jou broer weg is nie? -- Nee, dit is nie
so nie.

Het jy en Johnny in die straat ontmoet altyd? -- Nie
daagliks nie.

Maar taamlik gereeld? -- Nie altyd nie.

Het Johnny Motete nie probeer dat jy en jou suster
Cynthia by die UDF - aktief raak in die UDF se aktiwiteite
nie? -- Nee.

By hierdie vergadering van 26 Augustus 1984 was Johnny
Motete ook daar? -- Ek het hom nie gesien nie. (20)

Ek wil vir jou 'n paar persone se name gee. Ken jy 'n
persoon met die naam van Mahola Mbuge? -- Ek ken hom nie.

Ken u 'n Lourencia Mcetywa? -- Ja.

Wie is dit? -- Dit is my suster.

Ouer suster of jonger suster? -- Jonger suster.

Ken u 'n persoon met die naam van Vuyisile? -- Nee.

Ken u vir Elsie Nana? -- Ja.

Vanwaar ken u haar? -- Ons woon in dieselfde straat.

Ken u vir Paulina Tebu? -- Nee, ek ken haar nie.

Ken u vir Stompie Mokgele? -- Ek ken nie die persoon(30)

nie/...

nie.

Ken u 'n persoon met die naam van Monyatso? -- Nee.

Hierdie name wat ek nou genoem het, is dit nie die persone wat verkies is op die vergadering van 26 Augustus as tien mense wat met die raadslede moet gaan praat nie? -- Nee, dit is nie die persone nie.

Is u nie self ook verkies as een van die tien nie? -- Nee, ek is nie.

Nou gaan ons na die vergadering van die 28ste. Hoekom is u na hierdie vergadering van die 28ste toe? -- Ek het (10) gaan luister.

Is u op u eie soontoe? -- Ek was nog gestuur.

Wie het u gestuur hierdie keer? -- Nog steeds deur my ouers.

Hoekom het u ouers nie self gegaan nie? -- Hulle was by die werk.

Was die vergadering nie in die aand gewees nie? -- Dit sou in die aand gehou gewees het.

Maar werk u ouers nou in die aande ook? -- Ja.

Maar wanneer is u ouers ooit by die huis? -- Na 19h00.(20) My pa eers na 20h00.

By hierdie vergadering van 28 Augustus, wie was die voorsitter, indien enige persoon? -- Mnr. Nhlapo.

Hierdie mnr. Nhlapo wat u van praat, is dit Tom Nhlapo of Ace Nhlapo of 'n ander Nhlapo? -- Ek weet nie wat sy voor- naam is nie. Hy is net aan my bekend as mnr. Nhlapo.

Het van u familie saam met u na hierdie vergadering toe gegaan op 28 Augustus 1984? -- Ek het alreeds gesê dat ek alleen soontoe was.

Toe mnr. Nhlapo die rapport maak aan die vergadering (30)

dat/...

dat hulle 'n brief gelaat het by 'n sekere Ramakhula se huis oor die vergadering van die 28ste, het die mense nie vir hom gevra maar wat het die ander tien geloop maak wat ook die ander raadslede moes laat weet het nie? -- Ja, dit was gevra.

Watter verduideliking gee die mense toe? -- Die antwoord was dat hulle almal bymekaar was en die verskil is dat hy, Nhlapo, is die enigste persoon wat die huis binnegegaan het.

Nee, maar het die mense op die vergadering nie gevra hoekom het julle nie na die ander raadslede toe gegaan in Bophelong soos die opdrag was op die vergadering van die (10) 26ste nie? -- Daar was so 'n vraag gewees.

Wat verduidelik hulle? Hoekom gaan hulle nie na die ander raadslede se huise ook nie? -- Die antwoord was dat omdat hulle nie die mense kon kry nie, het hulle toe besluit om die brief by Ramakhula te los.

Het hulle - het Nhlapo vir julle gesê wanneer was hulle by Ramakhula? -- Ja, hy het gesê, maar ek kan net nie onthou hoe laat hy gesê het dat hulle by Ramakhula was nie.

Dieselfde dag van die 28ste? -- Nee, nie die 28ste nie. Watter dag praat u nou van? (20)

Wanneer hulle die brief gelaat het by Ramakhula? -- Die 27ste was die datum.

En het mnr. Nhlapo vir jou gesê waar het hulle die brief gelaat by Ramakhula se huis? -- Hy het.

Hoe het hy gesê? -- Dat die brief in die hande van Ramakhula gegee was.

Het hy gesê wat Ramakhula gesê het of hy by die vergadering sal wees en of hy sal kyk of hy daar kan wees? Wat het hy gesê? -- Ja, hy het.

Wat is gesê? -- Dat hy gesê het hy gaan geen besluite (30) neem/...

neem nie, hy moet eers met die ander ontmoet.

En julle weet nie of mnr. Nhlapo teruggegaan het om te gaan hoor of die raadslede beskikbaar sal wees vir die 28ste Augustus nie? -- Dit weet ek nie.

Nou gaan ek met u na die vergadering van 29 Augustus toe. Het al die raadslede op die verhoog gaan sit toe hulle ingekom het? -- Ja, almal.

Het al die raadslede op die verhoog gebly totdat die vergadering opgebreek het tot dit donker geword het? -- Ja.

Hoe het jy gesien die een raadslid het 'n vuurwapen? (10)
-- Ek het dit gesien, want 'n mens kon dit in die vorm gesien het.

Was dit binne-in sy baadjiesak? -- In die broek.

Broeksak? -- Ja, in die broeksak.

En u het gesien terwyl die ding daar in die broeksak is dit is 'n vuurwapen? -- Ek het dit gesien.

HOF : In watter broeksak was dit? -- Die sy broeksak.

Regs? -- Ja, regs. 'n Gedeelte daarvan het 'n bietjie uitgesteek.

MNR. FICK : Wat het uitgesteek van die vuurwapen sê u? (20)
-- Die onderste gedeelte van 'n vuurwapen se handvatsel het uitgesteek.

Kon u duidelik sien dit is 'n vuurwapen se handvatsel?
-- Ja, ek het dit duidelik gesien.

Toe u in u hoofgetuienis gesê het u het die ding herken aan sy vorm in die sak, toe was dit nie heeltemal reg nie?
-- Dit was reg.

Al twee kan nie reg wees nie. U het òf gesien dit is 'n vuurwapen deur die handvatsel te gesien het òf u het hom herken aan die vorm in die sak? -- Beide is reg. Ek het (30)

die/...

die vorm gesien van 'n vuurwapen in sy sak en ook die onderste gedeelte van die handvatsel gesien wat uit daardie selfde sak gesteeke het.

Hoekom het jy nie toe vir die hof vertel van die handvatsel toe jy gevra is daaroor nie? -- Maar ek was mos nie presies gevra op daardie stadium om spesifiek te verduidelik hoe dit herken was deur my nie.

Maar u het 'n antwoord aangebied, naamlik dat u dit herken het aan die vorm in die sak? -- Ek was nie pertinent gevra daaroor of ek dit aan die vorm gesien het nie. (10)

Was dit nou net die een raadslid wat u gesien het met 'n vuurwapen daar? -- Ja, dit is die enigste.

Wanneer het u u verklaring gemaak aan die verdediging? -- Gedurende 1987.

U sien, die verdediging het gestel aan raadslid Mngcina in volume 48 op bladsy 2 379 "Well, I am going to put to you that councillor Mokoena began moving in and out of the hall with his gun"? Nou wat is nou die waarheid? -- Hy het in en uit gegaan met daardie wapen nie. Hy het net op en af beweeg op die verhoog. (20)

ASSESSOR (MNR. KRUGEL) : As u nou sê hy het op en af beweeg op die verhoog, bedoel u hy het met die trappies van die verhoog af na die vloer toe gekom en weer opgegaan of heen en weer gestap op die verhoog self? -- Nee, hy het heen en weer op die verhoog gestap.

MNR. FICK : Afgesien van die opening van hierdie vergadering van 29 Augustus 1984, wie het eerste gepraat na die vergadering geopen is? -- Mngcina.

Was hy die voorsitter? -- Ek sal nie kan sê nie.

Wat het Mngcina te sê gehad? -- Hy het 'n versoek gerig (30)
aan/...

aan 'n ander persoon daar om te bid.

Nee, nee, dit is nou na die persoon gebid het. Die vergadering is nou geopen met gebed, wie het toe gepraat? -- Ramakhula het toe gepraat.

Wat het Ramakhula te sê gehad vir die vergadering? -- Dat hy 'n brief ontvang het waarin hulle uitgenooi was na 'n vergadering toe deur die inwoners.

Het hy verduidelik wat is die - waarom is die verhoging van die gelde? -- Hy het nie.

Wat het hy gemaak nou na hy gesê het van die uitnodi-(10) ging? -- Hy het toe gevra van die gehoor dat daar iemand moet kom en kom sê wat die klagtes is van die gemeenskap.

Wie het gekom en gepraat oor die klagtes? -- Ek het alreeds gesê mev. Mkhotsi.

Het mev. Mkhotsi vir die gehoor verduidelik wie sy is en wat haar posisie is? -- Sy het haarself voorgestel as een van die inwoners van Bophelong. Dit is al.

Wat was die reaksie van die raadslede op die dame se klagte, mev. Mkhotsi se klagte? -- Op dit wat genoem was deur hierdie vroumens as klagtes van die gemeenskap het Ramakhula(20) op een daarvan 'n antwoord gegee.

Wat was sy antwoord? -- Sy antwoord was dat hy aan die mense gesê het wat hom genader het oor die deposito van R50,00 aangaande die elektrisiteit, dat hulle dit nie hoef te betaal nie, want daar was geen besluite daaromtrent geneem nie.

Die vergadering van 29 Augustus, was u die enigste kind wat gestuur was daar wat u van weet of was daar ander jong mense wat ook gestuur sou gewees het om na die vergadering te kom luister? -- Sover ek weet was ek die enigste (30)

een/...

een waarvan ek bewus was wat daar is omdat ek gestuur is.

In u ouderdomsgroep, hoeveel ander mense was daar nog tussen die gehoor? -- Ek sal nie kan sê nie.

Was daar heelwat? -- Hulle was nie baie nie.

Of het u nie opgelet nie? -- Ek het nie veel daaraan aandag gegee om op te let nie. Ek het net gesien dat daar wel mense was van my ouderdom.

Het daar nie van die jeug by hierdie vergadering opgestaan en gesê die raadslede wil hulle nie langer hier hê nie? --
Nee. (10)

Is daar op hierdie vergadering van die raadslede gesê maar kyk, ons wil julle nie hier hê nie, julle moet bedank? -- Nee, nie soos u dit nou stel nie. Wat daar gesê was is die volgende. As die werk julle baas raak, dan moet julle die werk los.

Wat het die raadslede te sê gehad oor hierdie keuse wat hulle gegee word? -- Daar was nie 'n antwoord gewees nie.

Maar het die mense nie vir die raadslede gesê maar nou moet hulle sê, gaan hulle bedank of gaan hulle die werk (20) doen of wat is die probleem? -- Dit was gesê-

En wat sê die raadslede toe? -- Ek het alreeds gesê dat daar geen antwoord was nie.

Het die raadslid wat u gesien het met die vuurwapen op enige stadium sy vuurwapen uitgetrek? -- Nee, ek het dit nie gesien nie.

U sou dit gesien het as hy dit gedoen het? -- Indien dit gebeur het waar ek 'n uitsig gehad het, sou ek dit gesien het.

In die saal? -- Binne-in die saal sou ek dit gesien (30)

het/...

het.

Wat het die raadslede gedoen toe die polisie nou inkom by die vergadering, soos u gesê het? -- Op die stadium wat die polisie die saal binnegekom het, was dit terwyl die mense daar gemompel het.

Wat het die raadslede gedoen toe die polisie inkom? -- Hulle het daar voor gestaan.

Het hulle niks gedoen nie? -- Hulle het net stil gestaan omdat mense h geraas daar gemaak het.

Wat se geraas het die mense gemaak? -- As gevolg van(10) wat Ramakhula gesê het, het die mense toe begin om h geraas te maak. Dit is toe hy gesê het dat hy aan die mense wat na hom toe gekom het gesê het dat hulle nie die geld moet betaal nie.

Hoekom ek vir u vra of die raadslid sy vuurwapen uitgehaal het, dit is gestel op bladsy 2 378 volume 48 "If I were to suggest to you that members of your community on that day were very upset by Mr Mokoena drawing a gun and the police coming in with guns into a community meeting, what would you say to that? -- Ek sal nie kan sê of dit die waarheid(20) is nie.

Maar was daar rede vir die raadslid om sy vuurwapen uit te trek? -- Daar kon h rede gewees het.

Watter rede het u gesien is daar vir hom? -- Ek het nie h rede gesien nie. Daar was nie h rede wat ek gesien het nie.

Het daar iemand op hierdie vergadering van 29 Augustus opgestaan en gesê maar wie het die raadslede gekies? -- Nee, ek onthou dit nie.

U sê die raadslede het nie gereageer toe die mense (30)

daar/...

daar vir hulle gesê het maar julle moet bedank as julle nie vir die werk kans sien nie. Het daar nie 'n vrou toe opgestaan en gesê maar as die raadslede nie wil bedank nie, dan sal ons hulle brand, hulle sal gedood word? -- Nee, daar was nie so 'n vroumens nie.

Toe daardie lawaai aan die gang was in die saal en die raadslede daar voor staan, was die lawaai van so 'n aard dat die mense - 'n spreker kon nie praat nie, daar was 'n groot lawaai gewees? -- Ja, daar was 'n groot lawaai gewees.

Is dit nie die ooglopende rede hoekom die polisie (10) ingekom het nie? Hulle het gesien hier is 'n verskriklike lawaai hier binne en toe kom kyk hulle wat aangaan, of daar nie dalk probleme is nie? -- Dit is nie 'n rede nie, want die mense het nie baklei nie, hulle het net gepraat.

Toe die polisie nou inkom en die raadslede sê vir hulle hulle kan maar gaan daar is nie probleme nie, toe loop die polisie weer uit. Is dit wat gebeur het? -- Ja, hulle het dit gesê, want daar was niemand gewees wat baklei het daar nie.

En toe die polisie uit is toe gaan sit iemand die lig(20) af? -- Nee, ek sê onmiddellik toe hulle uit die deur was, is die ligte af. Wie dit gedoen het, weet ek nie.

Toe was daar chaos? -- Eers na die traangas in die saal ingeskiet was, was daar toe chaos gewees.

Nee wag, daar is nou 'n klomp mense wat kwaad is, wat deurmekaar praat, daar is 'n Babelse verwarring, 'n spreker kan nie gepraat kry nie, die polisie kom in, hulle gaan uit, die ligte gaan af by al hierdie opgewondenheid van die mense en dan sê u daar was geen chaos nie of verwarring nie?

MR BIZOS : Are the two words equivalent? Confusion and (30)
chaos/...

chaos?

MNR. FICK : Daar was chaos? -- Daar was chaos gewees wat ek kan beskryf aan die mense wat by die deur wou uitgegaan het.

Korrek en u was een van hulle? -- Dit is so.

En is dit ook so dat julle het hier in 'n verligte saal gesit en skielik toe is dit donker. Dan is 'n mens heel blind? -- Ja, dit word baie donker.

En daar was 'n geskreeu en 'n lawaai soos almal probeer het om by die deur uit te kom? -- Dit is so. (10)

Ek stel dit aan jou op daardie stadium was daar klippe gegooi buitekant wat u nie gesien het nie? -- Daar was nie klippe daar gewees nie.

HOF : Bedoel u daar was nie klippe gegooi nie of op daardie plek van Bophelong is daar nie klippe nie? -- Ek bedoel dat daar nie klippe gegooi was nie.

MNR. FICK : En die raadslede, wat het van hulle geword? -- Die polisie het hulle uit die agterdeur geneem.

Wanneer is u uit die saal uit? Op watter stadium? Heel eerste of in die middel of laaste of wanneer? -- Ek (20) is met die eerste klomp daar uit.

En waarheen is u toe? -- Ek het reguit geloop huis toe.

Geloop of gehardloop? -- Ek het gehardloop.

Ek stel dit weer aan u, dit is donker, daar is 'n deurme-
kaarspul, u hardloop, u het nie gesien toe daar klippe gegooi is nie? -- Geen klippe was daar gegooi nie, want buite was dit verlig gewees.

Wat se lig was daar? -- Die hoë maslig in die strate.

Die raadslede, het hulle rustig daar uitgereis uit die woongebied uit van die vergadering af? -- Ek sal nie kan (30)

sê/...

sê nie. Ek het uit die saal uitgehardloop.

Raadslid Mngcina, weet u waar hy woon in Bophelong? --
Ek weet.

Woon hy ver van die saal af? -- Ja, 'n entjie ver.

Woon u naby raadslid Mngcina se huis? -- Nee.

Woon u naby enige drankwinkel of biersaal? -- Ja.

Is dit die administrasieraad se drankwinkel en biersaal
waar naby u woon? -- Dit is 'n derde straat vanaf daardie
punt waar ek woon.

Die drankwinkel en biersaal wat ek van praat, is dit(10)
die drankwinkel en biersaal wat op die kant van die dorp
sit? -- Dit is so.

Die bus draai daar voor die drankwinkel en biersaal?
-- Dit is so.

As 'n mens met die busroete af ry van die biersaal af
van noord na suid in die woongebied in, woon u langs die
busroete? -- Ja, ek woon naby.

Woon u langs die busroete? Is u huis aan die busroete?
-- Nee, dieper in, maar nogtans naby die roete.

Laat ek vir u so vra. Woon u tussen die biersaal en (20)
die drankwinkel in die gemeenskapsaal? -- Nee, 'n bietjie na
die kant toe, nie direk nie.

As 'n mens met die busroete af suid loop om by u huis
te kom, moet 'n mens by die gemeenskapsaal verbygaan nog dieper
die woongebied in? -- Nee.

HOF : Sal u vir my op die kaart met die twee spelde 'n speld
steek in die administratiewe kantore en biersaal en ook in
die gemeenskapsaal. Dit is die lugfoto AAR5. U sal aan die
bokant sien dat daar noord is, die noordekant, aan die regter-
kant is daar 'n pad wat skuins loop. Ek dink dit is die (30)

Golden/...

Golden Highway. U moet vir my sê of ek reg is. Soos die kaart voor u gehou word aan die bokant is daar 'n gedeeltetjie wat uitsteek waar die rooi streep 'n hoek maak. Ek dink dit is die administratiewe kantore. U moet self kyk of dit so is en daardie rooi strepe wat daar op is, is die busroete. -- Die biersaal en die drankwinkel kan ek sien, wat dit staan eintlik buite die woonbuurt uit.

Druk 'n speld daar in, dan het ons dit darem. -- Ja, ek het.

Nou sal u sien dat die busroete maak so heeltemal 'n (10) draai rondom 'n blok? -- Ja.

Wat is in daardie blok? Jy hoef nie te kyk nie. U kan net vir my vertel? -- Nee, ek kan nie sien nie. Ek kan nie die ding lees nie. Ek kan nie sê wat dit is nie.

Nee, maar u kan mos onthou. In Bophelong ry die bus reg om 'n blok, om 'n groot blok. -- Dit gaan by die saal verby.

Is dit waar die saal is? -- Dit is verby die saal en die administrasiekantore en dan die winkels en eers by die bus-stop stop dit. (20)

Is die biersaal en die administrasiekantore en die drankwinkel bymekaar? -- Nee, dit is nie bymekaar nie.

Wat is dit dan wat buitekant die gebied lê? -- Dit is die biersaal.

Daar by die biersaal maak die bus 'n draai en hy ry suid? -- Ja.

En as hy nou ry tot by sy end, tot by die terminus waar hy stop, watter groot geboue is daar in die omgewing? -- Dit gaan verby tussen die kliniek en die winkels en dan gaan hy om om by die biersaal verby te gaan. As ek die ding (30)

reg/...

reg sien, die bus maak 'n draai daar bo by die biersaal na links en as 'n mens verder ry, dan kry 'n mens daar die kliniek en die winkels. Tussen die twee gaan die bus verby en dan by die kantore verby en voor die bus weer 'n draai maak, dan is daar iewers winkels en weer om die hoek dan kry 'n mens die saal.

Maar u kan nou almal daar sien. -- Die busstop is agter die winkels daar op die hoek.

Druk nou vir my die speld in die saal. Dit is nou die gemeenskapsaal waarvan ons praat, nê? -- Dit is veronder-(10) stel om hierdie een te wees waar ek my speld ingesit het. Dit is binne-in die rooi kring.

Op die lugfoto AAR5 is nou aangedui punt 5 wat bygevoeg word op die indeks. Daarby word geskryf biersaal en punt 6 wat aangedui word op die indeks waarby geskryf word gemeenskapsaal. U het nou gepraat van Checkers. Waar is Checkers? -- Dit is in die dorp by die "civic centre".

Dit is in die blankegebied? -- Ja.

Soos u na die kaart gekyk het, is dit die kliniek aan die linkerkant en die administratiewe kantore aan die (20) regterkant? Steek asseblief die speld in die administratiewe kantoor. -- Dit is die administratiewe kantoor.

Op die indeks word aangebring punt 7 en op die kaart en dit word aangedui as administratiewe kantore.

MNR. FICK : Soos u na die kaart gekyk het, kan u u eie huis aandui op die kaart of nie?

HOF : Druk nou maar daar 'n speld in as u kan. Die volgende word aangebring op die indeks, punt 8 op die kaart soos aangedui op die lugfoto is die huis van getuie Mcetywa.

MNR. FICK : Net voor ons heeltemal afstap van die vergadering(30 van/...

van 29 Augustus wil ek aan u stel daar het 'n persoon op hierdie vergadering opgestaan en gesê daar sal 'n "stay-away" 'n wegbly-aksie wees die Maandag, dan sal daar gegaan word na die kantore toe oor die huurkwessie? -- Nee, niemand nie.

Nou wil ek u vra in verband met die kinders wat nie skool toe gegaan het op 3 September nie. Het die kinders iets gesê, daar was kinders in die skool in Boipatong en daar was kinders in die skool in Sharpeville. Het die kinders van beide plekke se skole, Sharpeville en Boipatong se skole gesê die onderwysers sê 3 September gaan hulle nie skool (10) toe nie? -- Dit is so.

Het die kinders aan julle gerapporteer hoekom die onderwysers gesê het gaan daar nie skool toe gegaan word op 3 September nie? -- Hulle het nie gesê nie.

Maar het niemand in julle huis belang gestel om te hoor maar waarom gaan die kinders nie skool toe nie, dit is 'n skooldag? -- Daar was iemand wat gevra het.

HOF : Daar was wel iemand wat gevra het? -- Ja.

MNR. FICK : En toe, wat was die antwoord? -- Die antwoord was dat die onderwysers gesê het dat hulle, die onderwysers, (20) nie op skool sal wees nie.

Het die kinders nie gerapporteer of julle het nie vir die kinders gevra hoekom sê die onderwysers hulle is nie op 'n skooldag by die skool nie? -- Die onderwysers het nie gesê hoekom hulle nie op skool sal wees nie.

Het julle dit gevra vir die kinders of is dit 'n afleiding wat u maak? -- Die kinders sê dat hulle bang was om te vra van die onderwysers hoekom. Ons het dus aanvaar dat hierdie kinders is net so goed soos "puppets", want hulle word ook gesê dit gebeur. Hulle vra nie eers hoekom nie. Hulle (30)

aanvaar/...

aanvaar dit net so.

Wanneer het die kinders dit vir julle gesê dat die onderwysers die 3de nie gaan werk nie? -- Toe hulle die Maandag gevra word omdat hulle nie skool toe gegaan het nie, het hulle dit eers gesê.

Wat het u die aand van 2 September buite die huis gemaak? -- Ek het net by die hek gestaan.

Staan u elke aand by die hek? -- Nee.

Nou wat het u daar gemaak? -- Ek het daar gestaan en kyk na die mense wat in die straat geloop het tesame met (10) die soldate wat ook daar verby is.

Wanneer die dag van die - verstaan ek u reg dat voor 2 September al het die soldate daar - wat u die soldate noem, hulle en die polisie - in die woongebiede opgetree, gepatrolleer? -- Vanaf die datum van die 30ste het die polisie begin om die strate van Bophelong te patrolleer.

HOF : 30 Augustus? -- Ja.

MNR. FICK : Nou vra ek vir u weer, wat was h paar dae later op 2 September vir u so interessant dat u daar by die hek gaan staan en kyk? -- Daar was niks spesiaal wat interessant (20) was nie. Dit het gebeur dat ek daar gaan staan en kyk het omdat ek niks te doene gehad het in die huis nie.

Tot hoe laat het u daar buite gestaan? -- Ek sal nie kan sê tot hoe laat dit was nie.

Middernag? -- Nee.

Hoe lank het u daar gestaan as u dit nie kan sê nie? -- Ek het nie daarna opgelet om nou vir u te kan sê hoe lank ek daar gestaan het nie.

Was dit nie koud daardie nag nie? -- Nee, dit was nie koud nie.

(30)

Ek/...

Ek het dit dat dit aan die heer Schlebusch gestel was dat dit koud was die nag. U sê dit was nie koud nie? -- Dit was nie koud nie.

Was u 22h00 die aand nog buite? -- Nee.

Het u deur die nag nie 'n lawaai gehoor nie? -- Ek het.

Het jy skote gehoor deur die nag van 2 September? -- Ja, ek het, maar dit was voor sononder.

En na sononder was daar niks, was dit stil? -- Dit was stil gewees.

HOF : Hoe laat gaan die son onder in Bophelong? -- As (10)
ek praat van sononder bedoel ek na 20h00. Dit is 'n beskrywing van na sononder.

In die winter ook? -- Dit is dieselfde.

MNR. FICK : Het u enigsins gesien die aand daar terwyl u by die hek gestaan het of daar enige paaie versper is daar in die omgewing? -- Ek het dit nie gesien nie. Mag ek iets vra? Is dit regtig moontlik, sê nou byvoorbeeld dit was u wat in daardie huis gestaan het by die hek, as dit by u hek was, so ver van die ander strate af, dat 'n mens in daardie ander strate ook kan sien of daar versperrings is? (20)

Ek het vir u gevra in die omgewing? -- O, nee, in die omgewing het ek nie gesien nie.

Waaroor het die skote afgegaan? Was daar 'n lawaai, 'n rumoer gewees? Hoekom is die skote afgeskiet? -- Ek het die lawaai eers gehoor na ek die skote gehoor het.

Was u die aand van 2 September heeltyd daar by die hek gewees tot u gaan slaap het? U het nie weggegaan van die hek af nie? -- Ek het nie lank by die hek gestaan nie.

Maar ek bedoel u was nie verder van die huis af weg die dag, 2 September die aand, verder as die hek van die huis(30)

af/...

af weg nie? -- Ja.

Wat beteken dit nou? U was nie verder weg as die hek die aand van 2 September nie? -- Ek was nie verder nie.

U het van die werk af huis toe gekom en u was by die huis die heeldag? -- Ek het nie net gesit nie, ek het gewerk.

Vandat u van die werk af gekom het by die huis, was u by die huis gewees en u het nooit verder gegaan as die hek nie en toe het u gaan slaap op 'n stadium? -- Ek onthou nie dat ek uit die hek uit is nie.

Terwyl u daar by die hek gestaan het, voor u gaan (10) slaap het, het u enige mense ontmoet? -- Ek het nie mense ontmoet nie. Ek het mense gesien in die straat af met die straat verbygaan.

Was daar enigiets buitengewoon aan die mense wat u in die straat sien verbygaan het? -- Ja.

Wat was buitengewoon? -- Die manier van die mense se kleredrag.

Het u hierdie mense met die vreemde kleredrag êrens gaan rapporteer of vertel dat u hulle gesien het? -- Nee, ek het niemand gaan sê daarvan nie. (20)

U sien die snaakse mense wat onder andere nou daar sê dat hulle gaan skynbaar moeilikheid maak en u sê vir niemand daarvan nie? -- Behalwe miskien as ek weet dat hulle iets slegs gaan doen. Maar as hulle nie sê dat hulle spesifiek iets sleg gaan doen nie, is daar niks verkeerd daarmee nie.

Ken u 'n persoon met die naam van Phalane? -- Ja.

Wie is dit? -- Dit is die persoon wat gedood is.

Wag, wag, wanneer is die persoon gedood? -- Volgens inligting was dit die Saterdag van die 2de.

Was Phalane 'n gewone inwoner van die gebied Bophelong (30)

of/...

of was hy 'n bekende persoon of het hy enige pos bekleed? --
Ek weet nou nie van die ander mense nie, maar hy was aan my bekend.

Wat het Phalane gedoen vir 'n lewe? -- Hy was 'n skoolier.
Dit is waarvan ek weet.

K1096 HOF : Die 2de, is dit nou 2 September van daardie jaar? --
Dit is so, ja.

MNR. FICK : U hoor nou hier sê die mense dat hulle het Phalane se seun gekry, maar die mense wat Phalane se seun gekry het sal gekry word weer deur hierdie mense wat so snaaks aange-(10) trek is? -- Ja, ek het dit gehoor.

En later verneem u die man is gedood, Phalane, die nag van 2 September, maar u sê vir niemand daarvan nie? -- Ek het in die loop van die dag op die 3de gehoor dat Phalane die vorige dag geskiet is.

HOF : Hoe oud was Phalane? -- Ek sal nie kan sê wat sy ouderdom was nie.

Wat was sy standerd op skool? -- St. 9.

Was hy van julle buurt? -- Nee.

Was hy van Bophelong? -- Ja. (20)

Van watter skool? -- State Skool.

Op Bophelong? -- Nee, dit is in Sebokeng.

MNR. FICK : Hoe het u vir Phalane geken? Vanwaar ken u hom? -- Van die skool.

HOF : Was u saam op skool? -- Ja, ons was saam by dieselfde skool.

ASSESSOR (MNR. KRUGEL) : Hoe vergelyk julle ouderdomsgewys, uself en Phalane? -- Ek is ouer as hy.

HOF : Hoeveel jaar? -- Ek sal nie kan sê nie.

Ongeveer? -- Omtrent so drie jaar ouer as hy. (30)

U/...

U is nou 30? -- 31.

ASSESSOR (MNR. KRUGEL) : Die Phalane, is dit h van of h voor-naam? -- Dit is h van.

MNR. FICK : Die nag van die 2de het u nie gesien daar is h klomp rookkolomme wat daar in die lug opgaan in Bophelong van plekke wat brand en motors wat in die straat brand of brandende bande en sulke goed nie? -- Ek het.

HOF : Wat het u gesien brand? -- Ek het nie gesien wat aan die brand was nie. Ek het net die rookkolom gesien.

MNR. FICK : U kon nie sien of dit h gebou was wat brand nie, (10) die administrasieraad se kantore nie? -- Ek kon nie sien nie, want ek was op die perseel.

HOF : Ken u h persoon met die naam van Tabo Ruben Twala? -- Ja, ek ken hom.

Is daar enige verband tussen hom en Phalane? -- Nee, dit is twee verskillende persone.

MNR. FICK : Vanwaar ken jy hierdie Tabo Ruben Twala?-- Daar van die woonbuurt.

Is hy ook h skolier of hoe ken u hom? As wat? -- Ek ken hom net soos h persoon daar. (20)

Behoort hy aan enige organisasie? -- Nee, ek weet nie daarvan nie.

Is daar enige organisasies in Bophelong? -- Ek weet nie.

Stel u glad nie in politiek belang nie? -- Nee, ek stel nie belang nie.

Daar is net een aspek wat ek nog met u wil opklaar. Na die vergadering van 29 Augustus, waar is die klomp mense heen wat in daardie saal was? Weet u? Na die vergadering, waar het die mense heen gegaan? -- Ek weet nie wat van daardie mense geword het nie. Die laaste wat ek van hulle kan sê (30)

is/...

is dat ons is daar uiteen.

Raadslid Mngcina se vrou het getuig dat daardie selfde aand was haar huis aangeval terwyl die raadslid by die vergadering was? U het dit nie dalk gesien nie? -- Nee, ek het niks gesien nie.

Het u daarvan gehoor later? -- Ja, ek het later gehoor.

Was die mense op die vergadering van 29 Augustus baie kwaad vir die raadslede? -- Hulle was kwaad gewees, maar hulle het nie getoon dat hulle skade kan doen of beserings veroorsaak nie. (10)

U suster Cynthia, sy was gearresteer in 1984. Is dit reg? -- Dit is so.

Hoe het die polisie gesê waarom arresteer hulle haar? -- Dit was nie gesê nie. Al wat gesê was was dit was artikel 29.

Weet u wanneer Cynthia gearresteer is in 1984? -- Ek weet dit was 'n Vrydag gewees, al kan ek nie die presiese datum onthou nie.

Was dit voor die moeilikheid van 3 September 1984 of daarna? -- Daarna. (20)

Hoe lank daarna? -- Omtrent twee weke daarna.

Sy is weer vrygelaat, is dit reg, die Cynthia? -- Ja, sy was.

Het Cynthia toe vir u gesê waarom was sy aangehou?

MR BIZOS : With the greatest respect, your lordship has enquired the reason for allowing hearsay from time to time, but firstly, what is the relevance of this and why is this cross-examination being conducted? She had the misfortune of having been taken in and detained and released without any charges brought against her, if I understood the (30)

witness's/...

witness's evidence correctly. Is this now going - what argument does my learned friend intend addressing to your lordship, irrespective of what this answer may be?

COURT : It depends on whether the answer shows knowledge of organisations or not. I do not know. I do not know where it is leading to. That is the difficulty a presiding officer has in these trials. You never know where evidence is leading that is led or where cross-examination is leading.

MR BIZOS : Except that I do hope that there is a reason other than some possible guilt by association because some (10) officer decided to detain her sister.

COURT : If that is so, you can rest assured that I will close my eyes to any such suggestion.

MR BIZOS : I am sure that would be so.

MNR. FICK : Het Cynthia vir u gesê na sy uitgekom het waarom sy aangehou was? -- Nee, sy het nie vir my gesê nie, behalwe dat sy vir my gesê het dat hulle in 'n kerkdien was wat in die nag gehou is (night vigil).

Was Cynthia nie ook op hierdie komitee van tien wat die raadslede moes gaan sien het nie? -- Nee, sy was nie. (20)

U het vir die hof gesê daar was veertien mense wat in hierdie huis van u bly. Of gebly het daardie tyd? -- Dit is reg.

Is hulle almal familieleden die veertien? -- Dit is so.

Het van hulle huur betaal? -- Nee.

Kyk, ons weet nou al u het in die huis gebly en u ma en pa het in die huis gebly. Die ander elf, wie is hulle? Is hulle kinders van jou ma en pa of is daar 'n ander verband? -- Dit is almal die kinders van die huis.

Is almal eie broers en susters, al twaalf? -- Nee, (30)

nie/...

nie almal nie. Van die kinders is ons kinders.

HOF : Ja, maar moenie dat ons so sukkel nie. Is dit almal direkte kinders van u ma en pa? -- Ja.

MNR. FICK : Daar is drie van julle wat bo 21 is? -- Dit is so.

Laat ek eers vir u so vra. Die ander kinders, was hulle almal nog op skool? -- Ja, hulle is almal op skool nou.

Nee, daardie tyd in 1984, was hulle almal op skool? -- Hulle het nog skool geloop, ja.

Hoekom is party in Boipatong en party in Sharpeville op skool? -- Dit was as gevolg van die getal kinders by (10) skole. Die skole was vol geregistreer.

Wie is die ander twee kinders bo 21 in die huis? -- Lennox.

En die ander een? -- Bongani.

Werk hulle twee of het hulle gewerk daardie tyd? -- Ek het alreeds gesê hulle het nog skool gegaan.

Nee, wag nou, u het vir die hof vertel daar is drie van julle wat hierdie loseerderspermitte moes betaal het omdat julle bo 21 was in 1984. -- Ja, dit is so.

Was hulle bo 21 gewees, maar hulle was nog in die skool?(20) -- Ja, hulle was nog op skool.

Net een laaste aspek. Die vergadering van 29 Augustus 1984 het jy - weet jy of daar enige voertuie beskadig was? -- Ek hoor daarvan vir die eerste keer vandag.

Ek dank u. Ek het geen verdere vrae nie.

RE-EXAMINATION BY MR BIZOS : You said to his lordship whether all the children in the home were your parents' children. You also said "van hulle is ons kinders". Have you any children, you yourself? -- Yes, I do.

Do any of your sisters have children? -- Yes, they do.(30)

COURT/...

COURT : The sisters that live in the house? -- That is so.

MR BIZOS : Is that how the fourteen came up? -- That is so.

Do you remember that you were asked whether there was chaos or confusion both and you said people rushed to the door.

COURT : Let us just get that. Say what meeting it was?

MR BIZOS : The meeting of 29 August? -- That is so.

Did the people rush for the door before or after the gas was thrown into the hall? -- That was after.

After the teargas was thrown? -- That is so, yes. (10)

Do you remember that you told my learned friend for the state that you called at the meeting of the 26th and also possibly the meeting of the 28th for the resignation of councillors? -- That is so.

And you were then asked this question and thereby destroy the council system? And your answer was yes? -- That is so.

Did anyone say that the council system would be destroyed? -- No, nobody ever said that.

What did you understand by the question and what did you mean by your answer? -- My understanding of the whole (20) thing was this in order to give that answer. Nobody was fighting at this meeting when this was discussed and nobody was of the opinion that that be done in a fighting way. Therefore my answer is that there was just going to be an end of it.

An end of the council system? -- That is so.

Did you think who would administer your township if that happened? -- No, I did not think about that.

ASSESSOR (MNR. KRUGEL) : Daar is 'n paar dinge wat ek net graag met u wil opneem. Die kinders van uself en u susters, (30)

hulle/...

hulle het pa's nie waar nie? -- Nee, hulle het nie.

Was dit kunsmatig? Ek praat van hulle natuurlike pa's?
-- Ja, hulle het natuurlike pa's.

Watter bydraes maak die pa's tot die bestaan van die kinders behalwe hulle verwekking? -- Hulle het geen bydrae nie. Volgens die Xhosa gewoonte as 'n meisiekind 'n kind kry voor sy getroud is, is daardie kind van die familie van die meisiekind.

U het vertel van die aand van die 29ste en die chaos wat geheers het toe die ligte afgaan en die mense by die deur(10) uitstorm, nê? -- Ja, ek het.

U het ook gesê dat die raadslede wat op die verhoog was is deur die polisie by die agterdeur uitgeneem? -- Ja, dit is so.

Hoe weet u dit? -- Onmiddellik toe die ligte afgaan het daar polisie by die agterdeur daar ingekom.

Maar hoe weet u dit? -- Voor die ligte afgegaan het, was die polisie maar daar gewees agter by daardie deur, want terwyl die ligte nog aan was, is daar 'n polisiebeampte wat af en toe op die verhoog gekom het en met Mngcina gepraat(20) het.

By daardie agterdeur in en uit? -- Hy het daar in 'n hoek gestaan by die deur agter die verhoog, waar hy altyd deur geloer het en met Mngcina daar gepraat het.

Voordat die ligte afgegaan het, het u nie gesien dat die polisie die raadslede by daardie deur uitneem nie? -- Ek kan sê ek het dit gesien.

Maar is die raadslede uit die saal uit voordat die ligte afgegaan het of daarna eers? -- Onmiddellik toe die ligte afgaan is hulle uit. (30)

Dit/...

Dit was op 'n stadium toe u self wat gemaak het? Wat het u gemaak onmiddellik toe die ligte afgegaan het? -- Ek het nog daar bly staan.

Tot wanneer? -- Tot die traangas in die saal ingeskiet is.

Kon u enigiets sien nadat die ligte afgegaan het? -- Ja, ek kon sien.

Want u het vantevore gesê u was blind? -- Voor die ligte afgeskakel was, kon 'n mens sien wat daar gebeur.

Ja, maar nadat die ligte afgeskakel was? -- Nee, na (10) die ligte afgeskakel is, kon jy nie sien nie.

So, u kon nie sien dat die raadslede uitgaan by die agterdeur nie? -- Ek kon sien, want kyk, as hulle nie daardie deur gebruik het om die saal te verlaat nie, dan was hulle veronderstel gewees om saam met ons by dieselfde deur uit te gaan.

Van daardie tyd af Septembermaand 1984 tot vandag, het u gesin, u familie huur betaal? -- Nee.

Of loseerderspermitgeld? -- Nee, ons het nie.

HOF : Wat is u rede daarvoor of u familie se rede? -- (20)

Dit was die besluite wat gemaak was by die vergadering.

Watter vergadering? -- By die 26ste se vergadering.

Ek was onder die indruk dat daar gesê is dat daar net die verhoogde huur nie betaal sou word nie? -- Ja, dit is voor ons 'n antwoord gekry het, was dit die besluit gewees.

Wil u u antwoord kwalifiseer? Ek het u gevra vir u rede? -- Die rede hoekom ons nie betaal het vanaf die jaar 1984 nie, wil u weet? Dit is omdat ons nie 'n antwoord gekry het waar ons nou vergader het by die saal nie.

GEEN VERDERE VRAE.

(30)

HOF VERDAAG TOT 29 JANUARIE 1988.