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SAIRR Security Trials

Bethal Trial

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did.

Did you in fact at some stage leave Cape Town? -- Yes.

You and who left Cape Town? -- Myself, Mhlope.

Accused No. 11. -- Sam and Vuyisile.

Is that Vuyisile Gaye? -- Yes.

What transport did you use for going away or leaving Cape Town? -- We left Cape Town by train.

And where were you going to? -- Our destination was Swaziland.

Before you left Cape Town were you attending school? (10)

-- We had then ceased attending school.

Any special reasons why you ceased attending school? -- Yes, this was as a result of the uprising.

And were you quite happy with the education you received?

-- We were not.

Did that reason have any connection with your leaving Cape Town or not? -- Yes, it did.

In what way? -- We wanted to go and get better education, education that would be better than the education that was given to us. (20)

Now, when you left Cape Town by train, what was your destination? Not your ultimate destination but where were you going to get off the train? -- In Johannesburg.

And where were you going to stay in Johannesburg? -- We had an address from Sabelo Bata. We would go to that address. I still can remember the address.

Yes, please tell us what the address is. -- Reverend Mohapi's place in Orlando East.

Did your going to Reverend Mohapi's place have anything to do with military training? -- No. (30)

Now, there is evidence from Vuyisile Gaye here that when you/...

you reached the place called De Aar in the Cape you met a certain man whose name is Vuyisile. -- Yes, we did meet such a person.

Now, Vuyisile Gaye went further and said that you travelled in the same compartment as this person and in his presence you discussed that you people were going to undergo military training. What is your reaction to this? -- No, there is no such.

Now, did you ultimately reach Johannesburg? -- Yes.

After your arrival in Johannesburg, where did you (D) stay? -- At Reverend Mohapi's place.

Did you continue staying there at Reverend Mohapi's place until you left Johannesburg or not? -- No.

No what? Did you leave his place or did you remain staying there? -- We only stayed at Reverend Mohapi's place for a time, later moved to another place.

Is there any special reason why you left Reverend Mohapi's place? -- Yes.

Yes, what is the reason? -- Reverend Mohapi said he did not know the purpose of our going to Johannesburg. We had (20) come to his place just immediately after the uprising seeing that he stayed near the police station, he can be asked to give account of the children he accommodated. And the person we had gone to, his son, was then not home. He therefore asked us to get or to arrange for other accommodation.

Did you then make endeavours to find some other accommodation? -- Yes, we did.

What endeavours did you make? -- Mhlope, accused No. 11, knew a man, Solly Rametsi, whom he went to look for. Mhlope had also said he knew Solly Rametsi's place of employment, (30) but he was told at this place of employment that Solly

Rametsi/...

Rametsi was no longer employed there, but that a person who could know of his whereabouts is a girlfriend of his, one Lena.

Insofar as you know, did the seeking of Solly Rametsi by accused No. 11 have anything to do with military training?

-- No.

Did you ultimately meet Lena Mawela? -- Yes, we did.

And after meeting Lena Mawela, did you speak to her? --

Yes, we did.

Did you explain your problems to her? -- Yes, we did. (10)

BY THE COURT: Did you do it or did the group of you do it?

-- Me and Mhlope went to Lena.

MR SKWEYIYA: As a result of your talking to her .. (inter-venes)

BY THE COURT: What did you tell her? -- We told her that we had been accommodated at Reverend Mohapi's place and that Reverend Mohapi can no longer accommodate us because his son is not home. Lena then suggested that we go to her parents' home. This is because she was th en, while we were talking to her, at her place of employment, and she promised to (20) try and arrange for our accommodation.

MR SKWEYIYA: Did you then go to her place? -- Yes, we did.

Did she come there later on in the day to her place and find you there? -- Yes, she did.

Did you then start staying at her place? -- Yes, we did.

BY THE COURT: Is that all of the group? -- Yes.

MR SKWEYIYA: Now, whilst staying at Lena Mawela's place or residence, did you people at any stage ever express the view that you would be leaving the country for military training?

-- No, we did not. (30)

Now, there is evidence also from one Vuyisile Gaye that

at/...

at some stage you people met a Father O'Reilly of the Roman Catholic Church in Mofolo. -- Yes, that is correct.

Now Vuyisile Gaye said here in court that when you met Father O'Reilly, Father O'Reilly asked you people what help you wanted and you said to Father O'Reilly that you wanted him - rather that you wanted help because you wanted to go and undergo military training. Did you say that to Father O'Reilly? -- No, there was no such a discussion between us and Father O'Reilly.

Now, did Father O'Reilly give you any form of assistance? -- Yes, he did. (10)

What type of assistance? What was it in aid of? -- Father O'Reilly supported us with food. This was because Lena's people could not support us with food and when we had gone to Lena's sister, Lena's sister went to Father O'Reilly to ask him for assistance. This is what ultimately made us meet Father O'Reilly.

What happened to you ultimately, you yourself? Did you reach Swaziland? -- I did not go to Swaziland.

What happened to you? -- I had realised that we cannot go, we cannot proceed to Swaziland. My mother had become ill and I decided to go back home. (20)

THE COURT ADJOURNS.

THE COURT RESUMES ON THE 27th FEBRUARY, 1979.

M. AUGUSTIN O'REILLY: still under oath:

CROSS-EXAMINATION BY MR WILSON: Were you in fact in Soweto on the morning the trouble started on Wednesday, 16th June? -- Yes, I was.

1976. -- I was, yes.

And at 09h00 in the morning or thereabouts, did you see anything? -- I did. I saw a very large demonstration of students coming from deep Soweto, that would be Emngeni, Naledi, Jabulani, passing through Mofolo and I was going (10) over to Moroka and I was stopped by the students.

What was their attitude then? -- They came around the car, about 200 of them and they had some posters that they showed me in through the window, and after a few minutes quite a number of them recognised me and greeted me, shook hands with me and then they opened a passage and let me pass through. No difficulty. I must say that they were in very good spirits, no aggression whatsoever.

And at 11h00 that morning did you hear that anything had happened? M'Lord, I am leading this evidence to explain (20) what happens later, not as to the truth of what he heard. -- Yes, having finished a meeting that I attended over at Regina Mundy, a meeting of priests there, I came back and some people came in to see me and they said they had heard there was shooting, shooting had taken place around Dube, Orlando West.

Shortly after this at about 12h00 did you see another crowd of people? -- I did. At ..(inaudible) .. crossroads, I saw another large demonstration going down the same way and they were in an angry mood. I travelled at 11h45 exactly. Now I did not go through that group of people, I thought (30) it was not safe, they were in an angry mood. I went around

a different road to my destination and I did not reach there because I saw a very, very large crowd of people coming down the hill from Dube and taximen were getting through and I saw it was an angry looking crowd.

What sort of people were in these crowds you talked off?
-- All students. High school mostly I would say, the vast majority would be high school students.

And is it correct that till the next Thursday, that was about 8 days later, you were not allowed into Soweto? -- That is correct. There were police roadblocks at all entrances (10) into Soweto and no Whites were allowed in.

But after that Thursday, the 24th June, were you again allowed into Soweto? -- Yes, the roadblocks were lifted and we were free to go in. Although at times there would be superintendents and different men at the entrances into Soweto they may search the car, ask us why we were going in but normally we were allowed in.

And from that time onwards, except for isolated occasions, did you continue to work in Soweto for the rest of 1976 and the beginning of 1977? -- All the time, yes. Since then. (20)

Do you know of searches that took place after the riots began? -- Searches of?

In Soweto for people, not of vehicles. Do you know of any searches for people? -- There was at one stage there was a systematic search of townships like for instance like Jabulani would be one day, one morning from possibly 07h00 in the morning to 09h00, then the next day might be Meadowlands, the next day might be White City, next day would be Central Western Jabavu and so on. It went on like that for roughly two weeks. (30)

And who conducted these searches? -- I would say it was the/...

the SAP and the Riot Squad, in camouflage.

Do you know what they were looking for? -- What they were looking for were students, there is no doubt about that.

And do you know where a great many students were sleeping at that time, whether they were living at home or what they were doing? -- I would not know where they were sleeping, but from the reports of families and parents who came in to me and from the general talk the students were not - quite a number of students were not staying at home, they were not living at home. (10)

And did they attend any other functions, the students? -- There were quite a number of funerals going on at that time.

Did they attend these? -- There were large numbers at the funerals.

Did you yourself, I want to speak of your own knowledge only, have any trouble at any funerals you conducted with the students? -- None whatsoever. Very orderly funerals, no difficulty whatsoever.

CROSS-EXAMINATION BY MR HAASBROEK: What is your age? -- I was born in 1932, that makes me 47. (20)

Isn't it 45 more or less or 46? -- I was born in 1932.

Oh, 32. -- Yes.

Do you know of a Father O'Rea there in Soweto? -- Who?

Father O'Rea. The name is spelt more or less the following: O'Raya. -- No, there is no one of that name in Soweto with that spelling. Not in the Catholic Church definitely.

And do you know of any other priest with that particular name or a similar type of name in the country? -- Similar would be my own, O'Reilly. (30)

Your own. -- Yes.

Because/...

Because a witness, Gaye, described a Father O'Raya here - M'Lord, I refer to page 2 012, line 29, as a White man and an old man. -- Maybe he is an old man, you judge for yourself.

(LAUGHTER)

Well, I cannot say that you look like an old man. Now, what language did you make use of while you had conversation with students there at Lena Mawela's place? -- English.

English. -- Yes.

And could they understand you well? Could you understand them well? -- Oh, I would think they understood me well. (10)

I have an Irish brogue but I think they understood me.

Is there no room for possible misunderstanding between you and the students about what had been said? -- I do not think so.

Now you said that you never heard anything about military training. Is it not possible that the word 'training' only could have been used by some of the students? -- In my presence?

In your presence. -- I did not hear it, that was not the purpose of me being called there, it was not the purpose (20) of going there because the purpose of going there was to give assistance in food. Now, to my knowledge then and now there is no question of military training or training or leaving the country or anything else, it was to give this family assistance, to provide food, a certain amount anyhow.

What are your views about the actions of the students during the riots in Soweto? What do you think of it? -- Sorry, I did not get that.

The actions of the students. -- The actions.

During the rioting in Soweto. -- What are my views? (30)

Were you in favour of it or did you know anything about their/...

their grievances? -- Nobody, and certainly I was not in favour of it. I do not think anyone could be in favour of what happened in Soweto.

And that also includes the boycotting of their classes at school. -- I do not have a school.

Yes, but I am referring to the conditions in general. -- Yes. Well, they had grievances about Bantu Education and that was going on from, the schools opened in February and it was clear to everyone, to anyone rather, who was in Soweto and had contact with the people, with the students, with (10) adults, it was clear to everybody that they were dissatisfied about Bantu Education, and with the use of English and Afrikaans as a medium of learning, of teaching.

And then you testified that you had gone with Lena Mawela to her house to go and see for yourself about those students being accommodated there. I am sorry, Anna, not Lena, Anna. Is that correct? -- That is correct, yes.

Now, did I understand you correctly, you went with Anna. -- That is right. She came to the church, to the residence and I went over there to see for myself. (20)

So you accompanied her. -- As far as I remember, yes. I did, yes, now I remember, I definitely went with her.

Now, you also testified there that you had met a group of young people and there was a young girl as well. -- That is right.

Now where exactly did you meet them? -- At Mrs Letlhabi's house, that is Anna.

Anna's house. -- Yes.

How many were they more or less? -- More or less 7 to 8, maybe 6, 7 - 7 or 8. (30)

Did you give them anything at that particular meeting that/...

that you had with them? -- No.

Nothing whatsoever? -- Nothing whatsoever, no.

And when did you go to see these students the next time?

-- It would be possibly the next morning, I do not diarise anything like that, but it would be possibly that evening or the next day, some time the next day.

Some time the next day. -- Yes.

And did you then give them anything to help them, to assist them? -- Whatever I gave them it would have been in food line. (10)

In the food line. -- Yes.

And when did you go and see them next after that? -- Well, I did not go very often, they came to me or Mrs Letlhabi or Mr Letlhabi, the husband, they would come and say what food is there is finished and I did not go very often. I would say a few times, three or four times at the very most. I could not be definite now on the number of times that I went to that actual house.

Yes, I wrote down that you testified more or less the following: (20)

"I gave them quite an amount of food on a number of occasions and also money."

-- That is right.

You did not refer to visits by yourself to the students there when you said that you handed an amount of food to them on a number of occasions. -- Yes, well, they came over to the house.

They came over to your place. -- Yes.

Now, your first visit to Anna's place what happened there? What was actually discussed there when you arrived there (30) and you met the students? -- It was discussed that they had arrived/...

arrived there from the Cape. How they got there I do not know, I was not interested. Mrs Letlhabi said that they do not have sufficient money to provide food and she asked me to give some assistance in food. Now this I agreed to do, to give food and this was what was discussed. It was not very long.

Did you ask them any particulars about why they had been there? How it had come about that they had been there? -- As far as I remember I did ask them where they are from, why are they here. They said they were from the Cape, they ran away from the Cape. Why? They were frightened. (10)

BY THE COURT: Of? -- They were frightened of staying in the Cape.

Is that all they told you? -- The main question was food.

But is that all they told you? -- As far as I remember, yes.

Are you fairly certain about it? -- I am pretty certain. I was not interested. I asked them where they were from, yes, there is no doubt about that. But where they were going or how long they were staying, I was not interested until later on of course, later on I was interested when they would (20) leave, yes.

You say you were later on interested in when they would leave? -- Yes, because I did not have any more food, I did not have anything more to do them.

You mean it was a burden on the parochial treasury. -- I would not say that. It was a burden on the resources that we had.

No, I am not trying to be funny. -- No, I know.

It was a burden upon your clerical or your churchly resources though. Is that what you mean by saying you (30) were interested in when they were going? -- Yes, to a certain extent/...

extent, yes, but the food and the money did not come from the church resources. This is what I mean.

I see. Was it - I do not want to ask you personal questions. Did you have to give some of your own money for this purpose or well-wishers's money? -- Well-wishers's money and the food came principally from a man who was introduced to me brought to the mission around that time, an Indian man by the name of Mohammed. Where he lived, I had never met him before, I had not met him since he stopped giving food, but he said he wanted to give food for people who were in need. (10) Now, he brought me at least 3 car loads of food and I would reckon it was about R600 - R700 worth of food. That is why I say it was not from the parish resources.

And this food you distributed, is this food also you distributed to the people who were in jail? -- That is correct.

And so forth. -- Correct.

MR HAASBROEK: Did the students tell you that they were fleeing from the police? -- They said they ran away from Cape Town.

From what? -- From Cape Town. (20)

From Cape Town? -- Yes, that is where they had come from.

Did you understand that they were running away from the police? -- I did, yes.

Wasn't it a bit risky for you to render assistance to people running away from the police? -- It is never risky to give a person food if he is hungry. I would not consider it. I did not consider it then, I would not consider it now risky to give anyone food if they are hungry, irrespective of where they are coming from.

Weren't you afraid that the police would have thought (30) that you were an accomplice by helping these people? -- It is possible/...

possible that they would think that but I was not afraid of giving them food. I was not an accomplice to anything except by giving people who were hungry, I was giving them food. I had no fear.

Did you know at the time that quite a number of these students were leaving the country to get military training and to return later on to South Africa? -- It was never mentioned in my presence that they were leaving the country for any purpose, to do military training or otherwise.

Not even for educational purposes? -- No. (10)

Now, weren't you very suspicious about the situation when a number of children arrived from Cape Town without money or food and they wanted accommodation there in Soweto? Didn't you become very suspicious of the situation? -- I had nothing to do with the accommodation. I was not asked to give them accommodation, I was asked to give them food. As far as accommodation was concerned, I was not involved in it.

And did you ever ask whether they had permission of their parents to be there, away from Cape Town? -- No, I did not ask them. (20)

Didn't you think it necessary to ask them such an important question? -- I did not ask them and whether I considered it necessary or not, the fact is I did not ask them and evidently I did not consider it important at that particular time to ask them whether they had permission of parents. I had seen around Soweto children who certainly had not asked permission of their parents to do many things. Because they did not listen to parents and I take it for granted that they had not permission from the parents to leave Cape Town.

But wasn't it a bit risky to render assistance to these children when you well knew at the time that they did not have/...

(30)

have even the permission of their parents to be there? -- I certainly did not regard it as a risk to give hungry people food, no.

Did these children or school children ever visit you at the mission or at your residence? -- These coming from the Cape?

Yes. -- They did, yes. I said that they came on many occasions even to collect the food that they were to have. On one particular morning I arrived there at 07h30 and there were I would say five, possibly six, but I would say five (10) of them sitting along by the window waiting for me to come. Now that particular morning when I saw them, I said and what are you doing here at this time in the morning. I was busy, and they said: we had not eaten the day before, we have got nothing to eat today. So I did give them assistance that day.

Now, according to the State witness Gaye, you first went to Lena's place, Lena Mawela's place.

BY THE COURT: No, Anna.

MR HAASBROEK: I thought he said Lena. Alright, then Anna's place and then you asked them whether they wanted help. (20)
Is that so? -- No, that is not so.

And they then replied that they wanted to leave the country for military training. -- That is also not so.

What would you have done had they told you that, that they were leaving the country for military training? -- Do you mean what do I consider now that I would have done at that time?

Yes. -- I had no means of helping them to leave the country to do military training in the first place. I had not the means of helping them to leave the country. What (30)
means I had at my disposal was to help those who were in need

here/...

here and now at this particular place.

You did not consider going to the police at any stage about these students? -- I did not, no.

Would you have supplied them with more food after having discovered for instance that they had the intention of going for military training? -- If I had discovered that they were going for military training, is that the question?

Yes. -- I would say that I would give anybody food who was in need of it, whether they were out of jail or whether they had broken out from jail or whether they were going (10) to - out of the country or whatever they were doing, if a person is hungry I would certainly give that person food, irrespective of what they are doing.

Even if it was their purpose to go for military training and return, killing some of your fellow White people and Black people as well? -- It was not a consideration. It would not be a consideration to me that if a person is hungry, to refuse it because of what he might do.

BY THE COURT: Are not the churches always sanctuaries for anyone who wanted sanctuary? -- The church is a sanctuary (20) for anyone that is in need:

Was that not always the position? -- I think that is what I am stating now.

I am just asking you was that not always the position? -- Yes.

For 1 000 years. -- I think so.

Well, I am asking you, you are th expert. -- I would not call myself an expert, but the church would give assistance to a person in need.

Were they not always considered as sanctuaries, (30) churches, for anyone while he was in a church or under

the surveyance of a priest he was safe from temporal authority.

-- I do not think so. No, I do not think so. No, if a person was hiding for instance in a church, he was not amune from the authorities or say the police coming in to arrest him.

No, I do not think so.

Not even historically? -- I do not think so.

Very well.

MR HAASBROEK: How much money did you give to these students?

-- I gave various amounts to them. I gave them R2, R2, R5, R2 - R3 because they came on different occasions and said (10) we have nothing.

Yes, because according to accused No. 11 who testified here and who was also amongst the group, you had given them only R5. -- Yes, that is what he said, but I gave them much more.

Much more than that? -- Yes.

And could it possibly have been in the region of R25 perhaps? -- I would say so and even above that.

BY THE COURT: Just one thing. Were there many of these sort of students, not necessarily only from Anna's place, that (20) came to you for assistance? Did you have other calls? I am not talking about the ones in jail. -- No, but I did have quite a number. I even had some coming in as well and said: we have had nothing, I have not had anything to eat today. These would be around Soweto. And some other days at least I knew on some days I could not come in and I said well listen, there is a bag of soup, to people living around the church, I said listen, there is a bag of soup, there are some fortified biscuits, anyone that is hungry, please make soup for them, give them something to eat. (30)

When was this that you are talking about now that there

were/...

were people at Anna's place? What time? Can you give any date to it? Was it a continuous matter? -- I could not give you any date. I would say it was around the end of November. From that roughly for 3 weeks.

1976? -- 1976, yes, roughly 3 weeks. It could be a few days less, it could be a few days more.

Then did you not see any people who you were told were Cape Town students again? -- No.

Was that your only, shall I say, association or contact with what you were told were Cape Town students? -- That (10) was the only contact. Nobody ever told me that they were from Cape Town, they told me themselves.

That is what I mean. -- And I did not broadcast around that there were students there from Cape Town.

No, but what I mean is that the only time that you had anything to do with people who you were told were Cape Town students? -- That is the only time, yes.

MR HAASBROEK: You also testified that you gave them food on a number of occasions. Is that correct? -- Yes.

Now, according to the State witness Gaya, you brought (20) food to them only on one occasion. Is that possible? -- That is possible, yes. I said again other times again I collected it at the mission house in Mofolo.

BY THE COURT: Is Mofolo what you would regard as part of Soweto? -- It is in Soweto, yes.

No, I was just interested in when you were discussing something else in your evidence, you seemed to make a distinction between .. -- I said deep Soweto, maybe that is what you are referring to.

Yes, but these things like Mofolo and other places, (30) they are all part of Soweto. -- Exactly, yes, all different townships/...

townships.

That is right, but Soweto. -- Oh, yes, built at different stages, 1950, 1940, so on.

Yes, I am glad you clarified that. -- Yes, that is all part of Soweto itself, the whole complex is known as Soweto but then these particular areas.

And they all have their own names, they were built at different times. -- Yes, White City is the one area... (intervenes)

Yes, we have plenty names here. --- Yes. (10)

MR HAASBROEK: You also testified in your evidence-in-chief that you had given a lot of help to people at Dobsonville Police Station, Jabulani, etc., etc. and also to individual families. -- That is correct.

Now why was it necessary to bring food to the students who had been detained by the police. The police themselves .. (inaudible) .. in actual fact. -- But not to criticise the police in any way whatsoever, there was a tremendous influx - intake of students into police stations, thousands, and I certainly did not blame them if they not have sufficient (20) facilities, but parents asked for food to bring in to their children or to relatives or whatever it may be. I said only on one occasion did I personally bring in food when I was in Dobsonville.

And is it correct that at that stage you did not know whether they were being detained for criminal purposes or for political purposes. -- That is correct. Nobody knew that at that time.

And you just went and you rendered assistance in the form of food. -- That is right. (30)

Would it surprise you to learn that quite a considerable number/...

number of students had left the country at the time to go for military training and that the State has adduced evidence to that effect in this case. -- I was aware that young people were leaving the country.

For military training? -- No, for what purpose I do not know, but I had nothing to do with it. This is what we read in the papers that so many thousands, so many left the country, so many had gone to Swaziland, Botswana and so forth. I mean this was general knowledge to everybody.

RE-EXAMINATION BY MR SKWEYIYA: Are you the only Father (10)
O'Reilly or with a name next to O'Reilly who is in the Roman Catholic Church in Mofolo or a similar name? -- Yes.

Are you the only one? -- I am.

NO FURTHER QUESTIONS.

ANNA LETLHABI: still under oath:

RE-EXAMINATION BY MR HAASBROEK: You testified that three of the youths who were staying at your sister Lena's place, came to stay with you as a result of a request by her. Is that correct? -- That is so.

Now, who were they? What were their names? -- One (20)
Fikile, Bantu and Sabelo.

Did you know that they were fleeing from the police? -- I did not know.

Didn't you ask them where they had come from? -- They said they were from the Cape and that they were on a tour of some kind, they were visiting.

Is that all they had told you? -- I was told by them was that they came to Johannesburg because one of them knew Solly and that they found Solly was not in and that Solly's mother in turn gave them Lena's address because Lena was (30)
Solly's girlfriend then.

were/...

Were you not suspicious that these people were running away from the police? -- It just did not occur to me. I did not think about that. At the time I was worried about my newborn baby. The child was sickly at the time, suffering from whooping-cough.

But was it not a bit difficult for you to give these people accommodation there while your child was sick? -- It was difficult to an extent but it is the practice at home whenever they have a number of visitors they always ask me to accommodate some and this is what has been happening for some time. (10)

So you only thought that they were visitors, tourists? -- Yes, I accepted that they were visitors.

But according to Father O'Reilly a lot of Black children were fleeing from the police at the time. Did you also know about it? -- Is it at the time of the arrival of this group?

That is right. -- I had heard at the time that the police were looking for some youths, but I did not take particular note of this thing. I think it was because my children were too young, too small at the time that I could involve myself in such things. (20)

And you did not listen a lot to what these students were saying at the time? -- No, I did not listen to what they were saying. These people would only wake up in the morning after having tea they would leave my place and only come back in the evening to come and sleep.

Eventually you went to get assistance from Father O'Reilly. Is that correct? -- Yes, that is so.

And you yourself went to go and see him. -- Yes, I did.

And what was his reaction then? What did he do? -- He said to me if there is any food available he would then bring it. (30)

Yes/...

Yes, and did he then return with you or rather, I withdraw that. Did he accompany you to the children? -- No, not then. He later came to my place bringing the food.

But he never accompanied you? -- No.

But he testified that he had accompanied you. -- At the time he brought food or when?

Well, after you had gone to see him in connection with this matter. -- Yes, now that this question is put to me, I recall that I was just from the doctor at the time I went to the mission house and I had my baby. Along the way home (10) I went into a shop to buy some medicine for the child. I remember Father O'Reilly was then with me.

Yes, but how did it come about that he was with you then? -- He asked me how many people are at home for whom I wanted this assistance. I said I do not know how many they are in number because some are still at my parents' place but at home I had three. We went along and the father found two at my place.

But when you had gone to see him, did he accompany you immediately thereafter or when was it? -- I went to see (20) the father, he accompanied me home on that day. I am not very certain of this, but he brought the food the following day.

And when he arrived there at the students with you for the first time, how many students were there? -- Two. I say two but I am not very certain.

Now, were a number of youth s who were staying at Lena's place, called to your house at some stage? -- Yes, they used to come.

BY THE COURT: The point is not that they used to come and visit. Were they called to your house? -- No, they were (30) not called to my house. Whenever they came, they came to fetch/...

fetch the others who were staying at my place and then they would go away with them.

MR HAASBROEK: They never went to your place to go and see Father O'Reilly? -- No.

That never happened? -- No, that never happened.

RE-EXAMINATION BY MR SKWEYIYA: No questions.

NO FURTHER QUESTIONS

NONTANDO BALFOUR: still under oath:

CROSS-EXAMINATION BY MR PITMAN: No questions.

CROSS-EXAMINATION BY MR ACKERMANN: Evidence was given (10)
here that you had been the girlfriend of accused No. 11,
Goodwell Moni. Is that correct? -- That is not correct.

Was there - what was the relationship between you and
accused No. 11? I am sorry, if I may specify: before your
eventual departure for Cape Town from Johannesburg. From
Johannesburg back to Cape Town. -- He was my comrade.

So you say you were not the girlfriend of accused No. 11.
He must also be aware of that fact. There is no room for
misunderstanding as far as he is concerned? -- Yes.

Now, furthermore he testified, that is accused No. (20)
11, Goodwell Moni, that he and one Lena Mawela, became lovers.
-- I do not know about that.

Do you know of nothing of that kind that that relationship
between Lena and No. 11 was in existence before your departure
for Cape Town? -- Yes, I did not know anything of that.

When did you go back to Cape Town? -- I cannot remember
the date.

When did you arrive in Johannesburg? -- In November.
1976? -- Yes.

And did you .. (intervenes) (30)

BY THE COURT: You left on the 17th November. Is that correct?

-- Yes.

MR ACKERMANN: Did you stay until the next year, 1977, or did you go back at the end of 1976? -- I returned to Cape Town in 1976.

Now, were you at the same school as that of accused No. 11, Goodwell Moni? -- No, we were not.

Did you also participate in the uprising that started on the 11th August, 1976, in Cape Town? -- Yes.

What did you do? -- I demonstrated.

For how long? -- These demonstrations lasted for (10) about a month.

So for a period of about a month you took part in these demonstrations in the Cape. -- Yes.

Were you confronted by the police at any of these demonstrations? -- Yes.

And do you know whether you had to have permission to hold these demonstrations? -- We had no permission.

You had no permission?

BY THE COURT: Do you mean you knew you had to get permission but you did not have it or do you mean you did not know (20) you had to get permission? -- We did not have permission and we did not know that we had to have permission.

MR ACKERMANN: And did you demonstrate together with accused No. 11, Goodwell Moni? -- Yes.

And who organised these demonstrations that you took part in? -- We saw students at the Langa High School get together in the school hall. These were form 5 students. We who were then in form 3 also went to the hall. The purpose of the gathering there was then explained and it was said we must go and demonstrate. (30)

BY THE COURT: Who said that? -- A number of students said this/...

this. Just any student stood up and said it.

Not form 5 people? -- Form 5 students.

MR ACKERMANN: Now from when do you know accused No. 11, Goodwell Moni? -- When - I started knowing him when the students got together. Students from Langa High, I.D. Mkize and Fezeka.

Was that shortly - or was this on the 11th August, 1976 or shortly thereafter? -- It was after the shooting down of Golile Moosa.

Now was this shortly after the 11th August, 1976? -- (10)
It was on the 12th August.

Did the police look for you or were they searching the township to find you?

BY THE COURT: Do you mean her personally?

MR ACKERMANN: Her personally. -- Yes.

When did they start doing that? -- It was in January, 1977.

So when you departed for Johannesburg, you were not wanted by the police as far as you were concerned. -- No.

And you joined this group, consisting of Vuyisile (20)
Gaye and accused No. 11 because of your comradeship. -- Yes,
we also wanted to go and get better education.

Now you say that you learned about the police search for you in January, 1977. Was that before or after your return to Cape Town? -- I learned this when I returned to Cape Town.

After your return. -- Yes.

BY THE COURT: Who was the group again? Bata, Nontando, Gaye and Sabelo.

MR ACKERMANN: Now did some of these students, running away from the police, stay at your place, that is during 1976 (30)
of course? -- Yes.

From when did they do that? From what stage?

BY THE COURT: When you talk about my home, do you mean your parents' home? -- It is, yes. They started staying there in about October/November and it was when the police started looking for them.

THE COURT ADJOURNS FOR TEA. THE COURT RESUMES.

NONTANDO BALFOUR: still under oath:

FURTHER CROSS-EXAMINATION BY MR ACKERMANN: Now you said that certain students did stay at your parents' place. -- Yes.

Now these students were all students running away (10)
from the police. -- Yes.

Who stayed there? -- Mhlope, Vuyisile.

Who else? -- Only Mhlope and Vuyisile.

Now, accused No. 11 was he regarded as a leader amongst the students or the comrades, as they were known? -- No, we had no leader.

Who did all the talking during these meetings that you held? -- Anybody was free to stand up and to suggest anything.

BY THE COURT: Just before you go on. Who actually though called a meeting? -- Meetings were not called but what (20)
we were doing was just going to school as usual.

I thought everyone stopped going to school after the 11th August, there were no more classes. -- We were still going to school though we did not attend classes, we just went to school and we would stay in the school premises.

MR ACKERMANN: Vuyisile and accused No. 11 were staying at your place. -- Yes.

Did they move to any other place before your departure for Johannesburg? -- They sometimes did not come back to my home to sleep there, but I would not know where they had (30)
gone to sleep.

Do you know of a place called Small New York? -- No.

Did you stay at your parents' place until the stage when you left Cape Town? -- Yes.

When did you first decide that you would leave Cape Town? -- My intention after the riots was to go away, to go and seek for better education.

Who told you or did anybody tell you that one could go out of the country in order to get better education? -- No, nobody told me that.

Did you ever discuss it with anybody, these intentions (10) to go for better education? -- Yes.

With whom? -- Mhlope, Vuyisile and Sam.

Did you then inform them that you wanted to go for better education? -- Yes.

Or did you all come to an agreement to go for better education? -- We all agreed upon going to go and get better education.

Was this more or less in October/November, 1976? -- Yes.

What did you know about this better education that you would get once you were out of South Africa? Where would (20) you get this better education? -- We intended going to Swaziland to go and try there.

Who told you that you could go to Swaziland to get this better education there? -- Nobody told us this. We decided on going to Swaziland because the education here in South Africa* was no good.

How did you know at that stage that you would be let into Swaziland in order to get this education there? --- We would decide later how to get into Swaziland.

You say that in Cape Town before your departure, you (30) decided to get better education. -- Yes.

And/...

And that you would get this better education in Swaziland.

-- Yes.

Now, was this all that you decided upon? -- Yes.

Did you know anything about scholarships at that stage?

-- Yes, we knew that one could get a scholarship to go and further his education.

Who told you that? -- We used to see this in papers, reading about scholarships that were available that could be obtained by people who wanted to go and further their education. There were even students who would go as far as (10) America for their education.

What did you know about - or did you know how you would get there in order to get this education, to make use of these scholarships? -- I have already said we would decide later how to get into Swaziland.

Did you inform your parents that you were leaving Cape Town? -- No, I did not.

So you were running away from home without knowing what you would do and how you would get into Swaziland. -- Yes.

Is that what you want to make us believe? (20)

BY THE COURT: Why didn't you tell your parents that you were going to Swaziland for education? -- The parents were against what we were doing.

The parents would not have objected to you getting a better education I take it. -- No, I do not know that but what I knew was that they were against what we were doing and I do not know what their attitude would have been if I had told them of my intentions to go away.

MR ACKERMANN: So you were prepared to sever all ties with your parents in order to get this better education, as you (30) call it. -- Yes, it was my intention to go. If I would get better/...

better education than I was just going.

And then it would not be worth while to return to this state of slavery. -- I would not come back again.

Now, apart from your mother's illness did anything else persuade you to go back to Cape Town? -- Yes.

What else? -- I had realised that nothing was taking place, we were not going away and we were just wasting our time in Johannesburg.

But nevertheless accused No. 11 and some of these other fellow or ex-comrades were prepared to stay on. And (10) according to No. 11 he was quite convinced that he would get this education. -- But I left them behind. I do not know what happened after my departure.

You went there as comrades. -- Yes.

Quite convinced to go out of the country into the unknown in order to get this better education. -- Yes.

Now, how did it come about that you left behind your comrades in Johannesburg? -- I have already said my mother was ill, nothing was taking place, we were just wasting our time in Johannesburg. (20)

Isn't it so that you became afraid as to the true implications of your departure from South Africa, that you would get military training? -- Military training was not mentioned at all. We were only going for education.

Did anybody object to your return to Cape Town? By that I mean accused No. 11 or any of the other people staying in Johannesburg? -- No.

Did you have - or how did you learn about your mother's illness? -- I phoned to tell my parents that I had left. This I did because they did not know where I had gone to. (30)

But I thought that you were quite convinced that you would/...

would sever all ties with your parents in order to get this better education. And now you were approaching them, informing them of your position at the time, that you were in Johannesburg. -- Yes, I did this because I had already left them.

So you first decided to leave because there was nothing going on there and then you were informed of your mother's illness? -- Yes.

So the actual reason for leaving Johannesburg was that nothing was going on? -- Both that and my mother's illness.

Nevertheless you were going to Swaziland to get (10) education or better education and as far as you were concerned there was nothing wrong about this. -- Yes.

And you were quite dependent on people in Johannesburg to provide you with accommodation pending your departure for Swaziland. -- Yes.

Now, apart from the fact that some of your fellow comrades such as Vuyisile Gaye and accused No. 11 were running away from the police, nothing else was wrong. -- Yes, they were also only going for better education.

You were going to Johannesburg and from Johannesburg (20) to Swaziland for a perfectly legitimate purpose. -- Would you repeat that question please?

There was nothing wrong in going for further schooling or better education, as you put it. -- Yes.

So you could tell the people in Soweto why you had come to Soweto and what you would do in Swaziland. -- No, we did not say this to the pastor in whose house we stayed, nor did we say it at Lena's home.

Why not? -- They had nothing to do with that.

But weren't you dependent on their kindness and (30) their assistance for accommodation? -- Yes, we did stay with them/...

them though they really did not have anything to do with our purpose for leaving.

Why didn't you inform Lena Mawela of the reason for your presence in Soweto? -- She had nothing to do with that.

When you say that she was not informed, do you mean that the group of ex-comrades decided that she would not be informed? -- No, no decision was taken on this. We just stayed there and did not tell her.

Didn't she ever ask? -- No, these others only said they were running away from the police. (10)

And you never told her that .. (intervenes)

BY THE COURT: Did you tell her that? -- No, I did not.

MR ACKERMANN: Did you ever tell her that you wanted to go to Swaziland to attend a festival? -- No.

BY THE COURT: Who was the first person you stayed with, the reverend? -- Reverend Mohapi.

That is the pastor you referred to, is it? -- Yes.

MR ACKERMANN: Now you testified that this pastor or Reverend Mohapi said that he could not accommodate you any longer. -- Yes. (20)

And you knew of nobody in Johannesburg where you could stay. Is that correct? -- Yes, though Mhlope knew Solly Rametsi.

Now according to your evidence the reverend said he did not know the purpose of your coming to Johannesburg and that you had come to his place shortly after the uprisings and that he could be asked questions by people at the nearby police station because of your presence at his place. -- Yes, and also that his son to whom we had gone, was also not home.

But didn't you then tell the pastor: but we are (30)
here for a legitimate purpose, we want to go for further
education/...

education or better education, please do not put us out of your place? -- No, we did not say that to him.

Why not? You were quite dependent on the accommodation rendered by him. -- We could not argue with him when he was saying he could no longer keep us in his house, because the person we had gone to at his place is his son who was not home.

But it is not a question of arguing with him. You did not even bother to inform him of the reason for your presence in Soweto. And he was a man of the church, he would help (10) you. -- No, we did not inform him.

Isn't the true position that you did inform him that your intention was to leave for military training? -- No, there is no such.

Now you say that you phoned your parents, that is before your departure for Cape Town. -- Yes.

And you were then informed of your mother's illness. -- Yes.

Who told you this? -- A cousin of mine, one Emma.

This was during this discussion over the phone? -- Yes. (20)

That was the first time when you learned about your mother's illness? -- Yes.

And then you returned immediately. -- Yes, on the following day.

BY THE COURT: What date was that? -- I cannot remember the date.

No, but just try and think. You know you left Cape Town on the 17th November. Is that right? Just try and think. Take your time. You told me you went back before the end of the year, but when was it? -- I stayed in Johannesburg for (30) about 3 to 4 weeks.

Well, let me try and help you. Was it before Christmas?

-- Yes, it was.

Was it before the Day of the Covenant? -- Yes.

MR ACKERMANN: You went back by train? -- No, Lena's sister asked a man to give me a lift.

BY THE COURT: That is Anna is it? -- No, Naomi.

I just want to know one thing. Is that one of her younger sisters? -- No, she appears to be older than Lena.

You say she appeared to be older than Lena? -- Yes.

Was she also staying at the home of Lena, that is (10)

Lena's parents' home? -- Yes.

MR ACKERMANN: Vuyisile Gaye testified that you had told them that you had met a man who told you that your mother was ill.

-- No.

BY THE COURT: Well, let us just get it clear. Do you say you did not tell him that? -- No, I did not say this.

MR ACKERMANN: Did this in fact happen? -- No, it did not.

Did you inform this group consisting of No. 11, Vuyisile Gaye and the others that you were also leaving because nothing was happening at that stage? -- No, I only told them about (20) the illness of my mother.

And did you tell them that you would return back to Johannesburg if things would improve at your home? -- No, I did not say that. I only informed them that I was going back to Cape Town but that I would come back again I did not say.

Did you ever discuss it with them that nothing was in fact happening while you were staying in Johannesburg? -- No, I did not.

Why not? -- I just did not tell them. There is no reason why I did not tell them. (30)

But you were comrades and No. 11 was responsible, partially responsible/...

responsible for your presence in Soweto. -- I decided on my own to go to Johannesburg, it was not No. 11's responsibility, it was not his responsibility that I was in Johannesburg.

But you went there as comrades. -- Yes.

And according to you, you had all this - you all had this common purpose, namely better education. -- Yes.

And now you say that you never discussed this with them that nothing was happening, that there was no transport or no possibility of leaving South Africa. -- I did not discuss this with them. (10)

BY THE COURT: With them? -- With them.

That is No. 11 and the others? -- Yes.

MR ACKERMANN: And you cannot give any other explanation as to why you did not do so. -- Yes, I just decided this on my own. I actually thought of this on my own and after the news of my mother's illness I left.

But before the news of your mother's illness you were also persuaded that nothing was happening there in Soweto. -- Yes.

Now if you had this inner urge to go for better education, why didn't you even ask Moni whether transport would be made available or any opportunity would present itself? -- (20)
As I have already said, this was only a thought within me and it did not occur to me to talk to these people about the fact that nothing was happening. When I got the news of my mother's illness I decided to go back home.

Do you know Father O'Reilly. Did you know Father O'Reilly in 1976? -- No.

So you do not recall any visit paid by Father O'Reilly to the home of the sister of Lena Mawela? -- I started knowing (30)
him then.

In Soweto? -- Yes.

Can you briefly give us the details? When did you meet him? -- While we were staying at Lena's home.

Yes? -- Lena's people could no longer afford to support us with food. We also used to go to Lena's sister to have meals there. She said she would try to go and talk to Father O'Reilly and see if she could not get anything in the line of food from him.

Was this Lena or Lena's sister Anna who approached the father? -- It is Lena's sister Anna. (10)

Yes, and then? -- Father O'Reilly afterwards came. We met him then and on that day he gave us R5.

Where did you first see Father O'Reilly? -- At Lena's sister's home. This is on the very day the father gave us R5.

Yes, and thereafter? -- I did not see him again thereafter.

Did you understand every word that was spoken by the father? -- Yes, I did.

Did you converse in English? -- Lena's sister's husband was talking to the father and he would also explain the conversation to us in Zulu. (20)

BY THE COURT: Her husband? -- The husband of Lena's sister.

Of Anna. -- Yes.

MR ACKERMANN: So what you understood from this conversation you got through this interpretation of Anna's husband? -- No, I also understood what Father O'Reilly was saying.

But why was it necessary for Anna's husband to translate what was said by the father? -- Vuyisile had left school while doing form 2, he could not understand very well.

Now, turning to another aspect, you say that the two students, Vuyisile and accused No. 11, were staying at your/... (30)

your place while they were running away from the police.

-- Yes.

Did you invite them to come and stay at your place? --
No, I did not.

How did it come about that they stayed at your parents' place? -- We were returning from school and they were hungry and I invited them for a meal. We got into the house, had a meal and they just stayed there after the meal.

And what did you tell your father concerning the presence of these two young gentlemen in the house? -- No, there (10)
is no father in my home, we only stay with my mother.

Did you want these people to get out of your place? --
I would not order them out.

But you were accommodating them then. -- Yes.

Knowing that they were fugitives. -- Yes.

So, knowing that these people were sought for by the police, you were accommodating them. -- Yes.

And did anybody ask you any questions on your return to Cape Town about what had happened with these two persons, Vuyisile and accused No. 11? -- Yes, my sisters asked (20)
me this and I told them I left them in Johannesburg.

Anybody else? -- Nobody else.

Did the police ever question you in this regard? -- No.

Now, is it so that you sympathise or at that stage sympathised with the position of accused No. 11? -- At which stage?

When he came to stay at your place. -- Yes.

And what are your feelings with regard to his position at present? -- At the present moment?

Yes, now that he is accused here of various crimes. (30)

-- I sympathise with him as my Black brother.

And/...

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