

Harry Pitsoa.

IN THE SUPREME COURT OF SOUTH AFRICA  
(TRANSVAAL PROVINCIAL DIVISION)

CASE NO. 18/75/254.

25TH NOVEMBER, 1975.

In the matter of:

THE STATE

VS

S COOPER AND EIGHT OTHERS

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/VMD

COURT RESUMES ON 25th NOVEMBER 1975 AT 2 P.M.

STOFFEL JOHANNES VAN DER MERWE, NOG ONDER EED:

CROSS-EXAMINATION BY MR. SOGGOT CONTINUED:

Mr. van der Merwe, you have had the benefit of Calvert and Chalmers Johnson over the lunch hour, is there any comment that you would like to make? --- Edele, ten opsigte van die aanhaling uit Calvert wat ek miskien net vir duidelikheid weer wil lees: "The event - en daar bedui hy dan op die werklike plaasvind, die gewelddadige gebeurtenis van die werklike revolusie - "the event is a sine qua non for a revolutionary 10 situation that can be clearly labelled as such. If the event does not occur, no certain identification can be made of any preceding period of disaffection as being revolutionary". Edele, die konteks waarin hierdie aanhaling voorkom is onder andere waar hy die moontlikhede vir die bestudering van revolusie aangedui word. Hy gaan in dieselfde afdeling onder andere in op die ingewikkeldheid van die verskynsel waarin hy onder andere - waaruit dan voortvloei dat daar eintlik baie inligting nodig is vir die behoorlike bestudering van revolusie. En dan wys hy daarop dat daar dikwels oor die 20 voor-revolusionêre stadium daar nie baie inligting beskikbaar is nie. Dit wil sê ten opsigte van revolusies wat wel plaasgevind het, dui hy dan daarop dat daar min empiriese inligting beskikbaar is oor die voor-revolusionêre periode. En hy het dit hier eintlik oor die studie van die revolusie as 'n verskynsel, en omdat daar in 'n revolusionêre situasie verskillende dinge kan gebeur wat voorkom dat die revolusionêre situasie in 'n revolusie ontwikkel, daarom kan die gebeurtenis, ek meen die gebeurtenis is 'n helder uitstaande feit, kan makliker bestudeer word, want indien die revolusionêre 30 gebeurtenis nie plaasgevind het nie, kan daar geen absolute sekerheid / ...

sekerheid wees in die sin dat almal daarvoor sal saamstem dat daar wel 'n revolusionêre situasie was nie. Die punt wat hy dus hier wil aandui is dat die pre-revolusionêre stadium 'n minder maklike onderwerp vir studie is, omdat daar kontroversie daar rondom kan wees of die situasie werklik revolusionêr was of nie. En in dié verband, Edele, wil ek daarop wys dat die situasie waarna Calvert hier verwys verskil van dié waarmee ons huidig te doen het in die sin dat normaalweg die studente van revolusie nie ten opsigte van die voor-revolusionêre stadium die voordeel daarvan gehad het dat 'n Geregshof die saak ondersoek het nie. Sodat daar altyd kontroversie daarvoor kan wees. En dan gaan hy voort - laat ek dit net weer vind - maar hierdie omstandighede hou hy dan voor, ja, hy sê: "It is therefore with the circumstances of the revolutionary transition that this work will be principally concerned". Met ander woorde hy bou hier 'n saak op hoekom hy konsentreer op die spesifieke "revolutionary event" as die fokus van sy studie en nie die voor-revolusionêre stadium nie. 10

Mr. van der Merwe, the reason why we put those passages to you was to quote authorities suggesting that political science is not so ambitious, it does not predict. Do you still controvert that proposition? --- Edele, 'n mens moet nou ook net hier 'n bietjie - of sal ek sê net 'n bietjie die begrip "predict" effentjies nader definieer. Enige - hoe sal ek sê, enige voorspellings wat in die sosiale wetenskappe waarvan Staatswee een is berus basies op die waarskynlikheidsleer, wat daarop neerkom dat daar empiries vasgestel word dat daar onder sekere omstandighede 'n groot waarskynlikheid ontstaan - 'n groot waarskynlikheid bestaan dat sodanige gebeurtenis sal plaasvind of iets in dié lyn. 3

Ek / ...

Ek wil verder byvoeg, Edele, dat ek dink ons hier nie soseer te doen het met voorspelling nie in daardie sin nie, maar eerder diagnose wat 'n mindere vorm van voorspelling is. Maar, Edele, ek sal vir u mettertyd meer gesaghebbende bronne daarvoor kan bring.

On one fundamental issue, in order to diagnose, do you not presuppose a theory, don't you need a theory before you can diagnose? ---- Dit is korrek, Edele.

What is your theory? ---- Ek meen as ek nou praat van teorie daar dan moet 'n mens net miskien ook weer daarop 10 ingaan watter verskillende soorte teorieë daar kan bestaan.

My question is very simple, what is your theory? Not the various forms of theory but your theory? ---- Daar is nie - ek meen ek kan nie net so maklik 'n antwoord gee op wat is my teorie nie, ek meen die teoretiese veronderstellinge waarvan ek uitgaan is basies vervat in die raamwerk wat ek aan die Hof voorgehou het.

But those people do not diagnose, Chalmers Johnson does not diagnose nor does Barrington Moore, you, Mr. van der Merwe, are diagnosing, now we are asking you, what is 20 your theory which enables you to diagnose, we are very anxious to know that with some precision, Mr. van der Merwe? ---- Edele, dit werk maar net so dat die benadering soos ek al vantevore aan die Hof voorgehou het van meeste van hierdie skrywers of almal wat nie ideologies betrokke was wat ek geraadpleeg het, die benadering van hierdie mense is analities beskrywend, met die oog daarop om teorie daar te stel, waarvan die uiteindelijke funksie sou kon wees om binne die perke van moontlikheid voorspellings te maak. Aangesien hierdie mense se benadering analities beskrywend en nie diagnosties 30 van aard is nie, was dit vir my noodsaaklik om 'n sintese te maak / ...



maak uit die werke van 'n groot klomp skrywers, verskeie skrywers, wat dan 'n diagnostiese benadering het.

Mr. van der Merwe, we do not dispute the right to synthesise, but you have synthesised and you have your theory, for the moment it does not matter where the theory comes from, but you are relying on a theory in order to diagnose, can you tell us in a reasonably short space of time what that theory is.

COURT: But has he not explained to you that he does not purely rely on theory because his authorities are analytical 10 and because they pursue an analytical approach, therefore he is able to deal with that analytical approach by analogy and draw conclusions in the present set-up. In other words if you hit a man on the head and he dies, then you can come and say that if you hit a man on the head he dies, there is no theory necessary for that.

MR. SOGGOT: Well, M'lord, if the witness can clarify.

COURT: Well that is how I follow his evidence - is my opsomming korrek? --- Dit is basies korrek, Edele.

MR. SOGGOT: But then are you changing your attitude when 20 you said that in order to diagnose you need a theory? --- Nee, Edele, ek dink hier moet ons net onderskei hierso, dit is hoekom ek netnou gesê het basies is u weerspieëling daarvan korrek, in dié sin dat wat ons hier moet onderskei is tussen filosofiese teorie en empiriese teorie, die empiriese teorie is dit waarna u verwys het as analities te werk gaan. Met ander woorde, Edele, ek het van empiriese teorie, empiriese analitiese teorie gebruik gemaak as 'n basis vir die sintese wat ek self gemaak het.

Well the question still arises, you yourself have 30 told His Lordship that to diagnose one presumes a theory, now  
what / ...

what we are asking you is have you tested this theory?

COURT: No, he says when you diagnose on an analytical approach then you try and formulate a theory if you can.

MR. SOGGOT: Well, M'lord, if the witness makes that clear and ..(Court intervenes)

COURT: Well that is what he says.

MR. SOGGOT: M'lord, then he has changed, and I just want to get clarity on that. Are you now saying that you diagnose without a theory? --- Ek diagnoseer op grond van teoretiese veronderstelling.

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Does that differ from diagnosing on the basis of a theory? --- Edele, ek het netnou gesê ek sal graag wil verduidelik wat alles verstaan word onder die verskillende teorieë, en mnr. Soggot wou my nie die geleentheid gee nie, anderster was die vraag onnodig.

My apologies if I interrupted you. --- Edele, ten opsigte van gebeurtenisse soos hierdie kan 'n mens verskillende vlakke van teorie kry, waarvan sommige algemene oorkoepelende teorie is, en dan is daar deel teorieë, en dan is daar wat in Engels genoem word "narrow-gauge" theories. Teorie 20 - 'n algemene oorkoepelende teorie wat alle fasette van revolusie omskryf, dié bestaan nog nie, maar daar is sekere deel teorieë wat bestaan uit verhoudings tussen proposisies, en dit is van hierdie soort van "middle range" teorie wat dit gebruik maak, op daardie vlak wat ek beweeg.

And on the basis of that level you say you enable yourself to do a diagnosis without any testing? --- Without any testing of what?

Of your level of theory whatever it might be?

--- Edele, die teorieë of sal ek sê die teoretiese veronderstellinge waarvan ek uitgaan is teoretiese

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veronderstellinge / ..

veronderstellinge wat deur erkende skrywers in hulle werke gestel is. Die enigste wat ek gedoen het is om die analitiese benadering na diagnostiese benadering te verander.

Mr. van der Merwe, I think you have already indicated that this is a unique step in political science that you have taken? --- Nee, ek het nie so gesê nie.

Well has anyone else tried to evolve a diagnostic model? --- Ek is seker daarvan, ek weet nie ten opsigte van revolusie is ek nie seker nie, maar ek meen dit is heeltemal moontlik dat daar ander mense is wat van diagnostiese benaderings gebruik maak het, so ek sal myself nie die eer aandoen om iets unieks te produseer nie. 10

Mr. van der Merwe, I was not being ironical. May I just put the question this way, can you cite to His Lordship any authority, any person or writer who has attempted to do what you are doing, that is use theories of whatever combination to analyse the existence of a revolutionary group? --- Edele, op daardie punt het ek reeds gesê dat ek het nie enige skrywers raakgeloop wat hierdie spesifieke benadering het as wat ek gehad het nie, dit beteken nie dat hulle nie bestaan nie. 20

Did you investigate to see whether there were such writers or whether such an effort has ever been made in political science? --- Edele, ja, ek het die beskikbare leesstof nagegaan.

And were you unable to find anyone who has adopted this proceeding? --- Edele, soos wat ek gesê het behalwe miskien vir mense wat ideologies - sal ek sê ideologiese benaderings tot die saak het, in ander woorde wat nie 'n min of meer objektief empiriese benadering het nie. 30

Who are you thinking of when you talk of those people?

Ek / ...



--- Ek kan nie nou aan name dink nie.

Will you try and perhaps give us those names tomorrow? --- Ek kan dit nie waarborg nie, Edele.

Mr. van der Merwe, if your diagnostic model is correct to your knowledge, you do not know of anyone else who has tried it, if it is correct it must be an invaluable formula for governments who are interested in seeking out revolutionary groups? --- Edele, regerings het in die verlede en sal in die toekoms geïnteresseerd wees daarin om vas te stel wanneer revolusionêre omstandighede in die staat 10 ontstaan, en indien hulle sou van die staatswetenskap gebruik maak, dan sal hulle waarskynlik 'n soortgelyke diagnostiese benadering aan die dag lê.

Mr. van der Merwe, did you evolve your diagnostic model after you received the papers in this case, or was it there before? --- Nee, dit is nadat ek 'n gedeelte van die dokumente reeds gesien het.

And what prompted you to then compose this new diagnostic model? --- Edele, omdat ek wou vasstel of hierdie dokumente inpas in die voorbereidingsproses vir revolusie. 20

May I just quote to you something from Barrington Moore, who I understand is a very well known established writer in your field? --- Ja.

From page 150 of his book, On the causes of human misery. --- Ja.

MR. REES: Is the book being produced, M'lord? If it is not being produced then I object to it being quoted, the State is entitled to look at it.

MR. SOGGOT: We will have the book here tomorrow.

MR. REES: Then, M'lord, I submit it should be quoted 30 tomorrow.

Mr. / ...



MR. SOGGOT: M'lord, may I put the quotation to the witness, we assure him ..(Court intervenes)

COURT: Well he can check up this evening.

MR. SOGGOT: Have you got the book, Mr. van der Merwe? --- Ek besit nie die boek persoonlik nie.

Well, can I just put this to you and you can look at the book tomorrow morning, you can think about it overnight, so that we do not have any delays. ---- Goed.

This is at page 150 ..(Mr. Rees intervenes)

MR. REES: May we have the title of the book please, M'lord? 10

MR. SOGGOT: I have already given it.

MR. REES: No, you have not.

MR. SOGGOT: It is "The Reflections on the causes of human misery". "Because there is such a thing as creative novelty in human history, I do not think that predictions are very feasible in the social sciences, at least not about the most important issues. Nor do I believe prediction is really the proper task for the social scientist who misunderstands his own subject matter when he imitates the astronomer. The most that one can do is to present some rough outline of 20 the inherent trends and possibilities in given situations, the probabilities of various types of change, the obstacles to them and some of the probable costs in human suffering". Would you go along with that? ---- Ek sal die stuk in die boek bestudeer, en dan die vraag beantwoord.

Have you no immediate response to it now? --- Ek het nie eers die ding voor my gesien nie.

Very well. Mr. van der Merwe, just to continue a theme I was on before lunch, we were referring to various items and I think I was asking about psychological warfare 30 and you talked about Vietnam and you said you would consult your / ...

your authorities on that, and I left it at that. Now, on the question of mobilisation, can you refer us to any particular instance where the organisation has mobilised, we would like to know what sort of model you are thinking of or examples? --- Edele, weer 'n keer sal ek verkies om my bronne te raadpleeg voordat ek die vraag antwoord, maar ek vermoed dat 'n mens die Vietnamese revolusie sou so kon - dit daar aantref.

May I immediately put it to you that the Vietnamese situation was one of an ongoing Civil War, where the Vietnamese had power and were using the gun, there is no question of making a diagnosis there? --- Edele, dit sal baie afhang nou van 'n mens se definisie van revolusie. 10

Well I thought - I am sorry - gaan maar voort - I do not want to interrupt you, Mr. van der Merwe, I thought that we had got past the problem of what the definition of a revolution is, I think we have agreed that revolution means violent change? --- Dit is basies dit, maar dit is die gewelddadige omverwerping van 'n bestaande orde.

But all I want to put to you is the Vietnamese example is an example, if there was propaganda in the way of preparing for violent action, and if there was mobilisation, it was by guerrilla fighters, carrying their guns and machine-guns and what-not around with them? --- Edele, oorlogvoering veral guerrilla oorlogvoering kan soms in baie gevalle 'n intrinsieke deel van die proses van revolusie wees. 20

COURT: Well, if he has to qualify himself on that matter tonight, should you not rather leave it, because you may debate the facts of revolution.

MR. SOGGOT: M'lord, I thought it not inappropriate to put our immediate attitude and he could then deal with that while consulting / ... 30

consulting his authorities tonight. I do not propose to take it further than that point. And then one other feature, and that is foreign investment, the undermining of foreign support, can you now as you stand there give us one example of a revolutionary group that has sought to do this? --- Nee, Edele, en ek weet nie of ek spesifiek - want dit is 'n baie fyn spesifieke punt, ek kan nie waarborg dat ek 'n spesifieke voorbeeld daarvan sal vind nie, ek sal probeer.

And your conclusion from reading the documents was 10 that there was an attempt to undermine foreign support with a view to undermining the country, - undermining the system, is that right? --- Kan u net weer herhaal?

From reading the documents your understanding was that the documents set out to undermine foreign support so as to undermine the country, or rather the system? --- Edele, al gevolgtrekking wat ek daar gemaak het is dat daar dokumente is wat buitelandse steun - wat poog om buitelandse steun te vervreem, ek het nie gesê "in order in order" nie.

But that is linked to your whole idea and that is 20 that this is done in order to undermine the system? --- Nee, Edele, ek dink daar is nog 'n wanbegrip, die raamwerk wat ek voorgehou het veronderstel wel dat indien daar in daardie omstandighede vervreemding van buitelandse steun plaasvind dat dit dan wel die stelsel sal ondermyn en daardeur sal hydra tot die val van die stelsel, en derhalwe sou dit logies wees vir iemand wat die stelsel wil ondermyn om ook op daardie punt die stelsel aan te val. En verder het ek in die dokumente wel gevind gevalle wat neerkom op ondermyning van die buitelandse steun van die stelsel, en dit is waar 30 dit ophou.

Mr. / ...



Mr. van der Merwe, when you talk of mass armed revolution, can you as it were fantasise or describe how you visualise this, what will happen, how a mass armed revolution unfolds. In your thinking is it guerrilla warfare or is it a mass urban revolt, or whatever it might be? ---- Edele, dit sal afhang van spesifieke omstandighede, en dit kan een of die ander of beide daarvan wees.

But one comes back to it then, that you have not made any analogy or comparison or analytical study comparing SASO or BPC and any other guerrilla movements or revolutionary movements which have sought to accomplish mass armed revolution? --- Edele, dit was nie my opdrag om vas te stel of hierdie organisasies as sodanig revolusionêr is nie, daarom het ek nie so 'n analise onderneem nie.

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Mr. van der Merwe, with His Lordship's consent, may I ask you to look at the speech by Mr. Buthelezi? --- Edele, ek dink dit was toe ons die vorige keer daarna verwys het die veronderstelling dat ek die geleentheid gegee sal word om dit deur te lees, en ek het ongelukkig as gevolg van die ander dinge waarmee hulle my middagete sal ek sê ontwrig het, nie kans gehad om na hierdie dokument van Buthelezi te kyk nie.

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MR. REES: M'lord, I would like to make this point, I would like the Defence to make it quite clear whether this is the original speech delivered, or which they claim was delivered by this Chief Buthelezi, or whether this is a translation or a summary of it, and how are they going to prove it, because just now we will have dispute as to what the facts are.

MR. SOGGOT: My instructions are, M'lord, that this is a true copy of the speech made and we use it subjectively.

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M'lord, I would suggest that if the witness does not want to

proceed / ...

proceed with it now, that the matter should stand over until tomorrow. M'lord, may I merely indicate - Mr. van der Merwe, what we have got is a speech by Mr. Buthelezi, and we have got some documents emanating from the Coloured Labour Party, do you know that Party? ---- Ek weet van hulle, ja.

Do you know that that party espouses Black Consciousness? ---- Dit is nie spesifiek - ek meen ek het dit nog nie op skrif gesien spesifiek nie.

And we have, Mr. van der Merwe, certain speeches 10 taken from the Hansard of the Transkei Legislative Assembly. With His Lordship's permission may we hand them over to you now, and would you look through them and tomorrow we would ask you for your opinion on the extent to which any of these documents reflect a tendency to undermine legitimacy of any sort, internal or external, and the other indeces which you talk about. Would you, with His Lordship's consent do that? ---- Op voorwaarde dat tyd my toelaat om dit te doen.

Well, M'lord, we have no wish to embarrass the witness, may we ask you then to deal with as many documents 20 as you can, in other words, when you have satisfied yourself with one document, then only proceed to the next. ---- Ek sal so maak, Edele.

M'lord, may I then proceed onto a different point. May we deal with Easton, Mr. van der Merwe? ---- Sekerlik.

Mr. van der Merwe, I have got here what seems to be the fundamental work, the magnum opus of Mr. Easton "A systems analysis of politics and life" ---- Of political life.

Of political life, I am sorry, I misread it. I take it this is the book which you relied upon? ---- Mainly, yes. 30

And as a book it comes to close on 500 pages not so?

Dit / ...

--- Dit is korrek.

And am I correct, because I am very anxious to keep away from minutiae, am I correct in putting it to you that Mr. Easton's work is highly theoretical and highly complicated? --- Edele, die term hoogs teoreties is nie 'n baie wetenskaplike term nie, die werk is wel teoreties van aard, dit wil sê empiries teoreties, en verskillende mense vantevore al het die werk ingewikkeld gevind.

Mr. Easton has never attempted to operationalise his model? --- In watter sin operasionaliseer? 10

Applied to factualities, to facts? --- Ek het dit nog nie teëgekome nie.

Isn't the truth that he has not done so, although he suggests that it be done, because it is so highly theoretical and abstract? --- Edele, na my oordeel sou die teorie wat daarin vervat is, sou wel toegepas kon word, maar dit is natuurlik 'n baie omvattende werk, met ander woorde dit sal 'n taamlike geweldige taak wees om elke fyn detail waarna hy verwys op 'n besondere stelsel te gaan toepas.

Do you know that Easton has been heavily criticised in the profession? --- Ja, Edele, ek is bewus van sekere kritiek. 20

For the very reason that he is vague and so abstract? --- Edele, abstraksie pla sekere mense maar dit is die enigste brug wat 'n mens het.

Mr. van der Merwe, I want to try and keep it as short as possible, but I think perhaps to give His Lordship some idea of what Easton is about, is it correct to say that what he in fact tries to do is something very officious and that it is a theory attempting to explain the functioning and persistence of all political societies? --- Edele, daar is 30

n / ...



'n verwysing spesifiek in daardie boek van Easton wat  
 ongeveer so lui maar net 'n bietjie anders, wat ongeveer so  
 lui as wat mnr. Soggot dit aangehaal het in die sin dat  
 Easton self toegee dat sy - of ek sal nie sê toegee nie  
 maar dit stel, dat sy werk nog 'n begin is van 'n omvattende  
 teorie aangaande die politiek. Maar, Edele, in daardie opsig  
 moet dit dan weer so gesien word teen die kompleksiteit, teen  
 die geweldige kompleksiteit van politieke en sosiale  
 ekonomiese verskynsels, en 'n persoon in die posisie van  
 Easton is natuurlik in die posisie om hoe meer hy doen te 10  
 sien hoe meer daar nog gedoen moet word, en in dié verband  
 kry 'n mens dan gewoonlik die vorm van beskeidenheid dat hulle  
 sê dit is nog net 'n begin.

Is his work not confined to the theoretical level?

--- Dit is analities empiries, dit wil sê empiriese teorie.

I am not sure whether that does answer my question,  
 perhaps I do not appreciate what you are saying, do you  
 agree that Easton is confined to the theoretical level,  
 confined? --- Edele, nee, ek sal nie dit so stel nie.

Ek meen, in dié sin dat daar is geen poging in daardie 20  
 boek om dit te operasionaliseer nie, en soos ek gesê het  
 ek is ook nie bewus van enige werk wat dit operasionaliseer  
 nie, maar om te sê dat hy "confined" is, dit wil sê beperk,  
 dit wil sê amper ingeperk tot die teoretiese vlak, dit sou  
 ek nie sê nie.

Well, may I read to you from page 11, at the bottom  
 thereof, perhaps Mr. van der Merwe it might go more easily  
 if I handed you a copy, page 11 towards the bottom:

"A great deal of what labels itself theory at this  
 stage in the development of political science, cannot 30  
 help but be concerned essentially with the formation  
 and / ...

and evaluation of concepts. Although hard-headed scientists might protest, it is certainly not erroneous to place such conceptual discussion in the area of general theory. It would be a mistake, however, to assume that this exhausts the subject. It is just a preliminary albeit an inescapable major step towards the development of such a theory. The reason for this is that even though a full-fledged general theory -

and this is, Mr. van der Merwe, a general theory -

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"is probably beyond the reach of political science at this stage, however urgent the need for it may be, the development of a logically related set of concepts, an integrated conceptual framework at the highest level of abstraction, is vital if we are to establish the limits in subject matter. Concepts point to the variables that may be included as relevant to some ultimate theory. The foremost task of science, that is the continuous one, is to find the right concepts by which to conduct the analysis. 20

If it will do nothing else, such a conceptual structure will at least indicate first the part of reality to be included with the systematic study of political life and second, those elements of this broad area that ought to command our prior attention, if we are to understand the major determinant of political behaviour. If concept formation does nothing else it at least provides criteria of political relevance to guide us in the distribution of our attention to matters of theoretical and thereby of explanatory 30 and ultimately of practical importance. At the very least / ...

least it helps to promote the preliminary description of what are selected as significant phenomena".

Now that is from Easton himself, and I take it you have no objection to what he has said there? ----- Edele, as die advokaat miskien net mag verduidelik wat hy presies bedoel want daar het Easton heelwat dinge gesê.

That he is talking about theoretical effort ..(Court intervenes)

COURT: Doesn't he say that you cannot propound a theory, you have got to analyse a situation? 10

MR. SOGGOT: M'lord, that is not our understanding. The specific thing that I want to refer you to ..(Court intervenes)

COURT: No but at the beginning he says "at this stage" and I do not know whether it means at this stage in his book or at this stage of the development of the science.

MR. SOGGOT: "We can conceive of attempts to develop types of general theories by linking together ..." if the Court will bear with me - "a great deal of what labels itself clearly at this stage in the development of political science cannot help but be concerned essentially with the formation and evaluation of concepts". 20

COURT: Yes, well so you do not have a particular theory to work on, you can have various concepts that you can try to apply.

MR. SOGGOT: Well, my understanding is that in fact what Easton tries to do, Mr. van der Merwe, is absorb his concept into one ongoing interrelated theory? ----- Dit is korrek, Edele, dat hy verskillende konsepte integreer in 'n teorie.

You see, and what I am putting to you is ..(Court intervenes) 30

Hof / ...



HOF: Wat bedoel u eintlik daarby? ---- Edele, dat Easton se werk bestaan uit die - hoe sal ek sê - die aanmekeer-skakeling, die stelling in 'n verhouding tot mekaar van verskillende konsepte, en dat op daardie wyse teorie gestep word. In ander woorde, dit is verskillende konsepte wat op empiriese - dit wil sê op die werklikheid betrekking het, maar wat dan konsepte is wat vir analitiese doeleindes gebruik word.

Bedoel hy nie dit moet bloot teoreties aanvaar word dan nie, wanneer jy jou ontleding doen? ---- Ekskuus tog? 10

Bedoel hy nie bloot net dat dit moet teoreties dan aanvaar word, die bevindings wat jy maak op jou empiriese gevolgtrekkings nie? ---- Edele, as ek net weer daardie passaat kan kry - " a great deal of what labels itself theory at this stage in the development of political science cannot help but be concerned essentially with the formation and evaluation of concepts" - Edele, hier sê hy dat 'n groot deel van wat op die oomblik vir teorie deurgaans draai rondom feitlik die definiëring eintlik die skepping van konsepte gebaseer op die empiriese werklikheid. Dit 20 is wat hy met daardie stellinkie presies daar bedoel. In ander woorde dat dit hier gaan nog in 'n groot mate om begripsdefiniëring.

MR. SOGGOT: In fact, doesn't Easton's work and his conceptual theory precede empirical work? ---- Nee, Edele, ek sal nie so sê nie in die sin dat die ..(Hof kom tussenbei)

HOF: Dit is andersom? ---- Ek dink so ja, Edele.

It is the other way round.

MR. SOGGOT: Well, my instructions are very specifically that that is a misunderstanding of Easton, that Easton 30 starts off with the highly abstract conceptual framework and suggests / ...

suggests that this comes before empirical work, that his work is not preceded by empirical work. And I am putting that to you because it is our contention that Easton is highly abstract and failing an attempt to operationalise it, cannot be helpful especially in the sort of endeavour which you have embarked upon? --- Edele, dit is 'n verskil van opinie wat my betref.

What he bases his attitude on is it seems the inspiration of the cybernetical model, apparently there is an input and then an output into the social system? --- Dit 10 is baie elementêr korrek, ja, Edele.

Well do not allow me to put anything, Mr. van der Merwe, which is though elementary, might be misleading or be a wrong formulation. Now, one of the things, if we can get onto support straight away, -- perhaps before I deal with that, I am sorry, would it be correct to say that Easton in fact tells us very little about the way any particular type of system does operate? ---- Ja, Edele, in die sin dat hierdie berus op veralgemenings, in ander woorde dit gaan nie oor die Franse stelsel of die Duitse stelsel of iets nie, 0 dit gaan oor 'n politieke stelsel as abstrakte konsep.

And he rather emphasises it on page 480 in the middle of the page:

"During the previous discussion I have taken the advantage of the opportunity as it arose to emphasise that this mode of analysis tells us little about the way in which any particular type of system such as a democracy might persist, but it is a point worth emphasising!"

And he goes on to say:

"I have carefully and deliberately excluded this from among / ...

among my objectives"

--- Net so 'n oomblikkie, laat ek net die passaat kry.

It starts off with "during the previous discussion"

--- 480 -- I am sorry, I am looking at the wrong page.

Edele, waar dit hier oor gaan is oor die vlak van abstraksie want hy sê hier spesifiek "I have taken advantage of the opportunity as it arose to emphasise that this mode of analysis tells us little about the way in which any particular type of system, such as a democracy might persist". Met ander woorde hy gaan hier oor spesifieke, 10 sal ek sê in die algemeen oor die politieke stelsel, en nie met spesifiek demokrasie of outokrasie of watter vorm van regering ook al nie, dit is algemeen. Met ander woorde, Edele, as 'n mens spesifiek 'n demokrasie wil gaan ontleed sal mens dit op 'n effens laer vlak moet doen.

Emphasising again the ultimately highly theoretical nature, not so, abstract nature of his ...(witness intervenes)

--- Hy praat van abstraksie, ja.

And, Mr. van der Merwe, I think you said that the book is not confined to the theoretical level, I have found 20 the passage I was looking for, would you look at the preface please, the first page of the preface, the second paragraph, which reads:

"But this book remains a work confined to the theoretical level. Its primary objective is to elaborate the conceptual structure and suggest where possible some theoretical propositions. Its goal is not to undertake the validation of the statements or to demonstrate definitively the application of such concepts. Testing is closely 30 interwoven with theory construction. Each feeds and

grows / ...



grows on the other, but for sustained periods of time it is vital in the development of a discipline that particular attention be given to the separate needs and problems of each"

So he starts off by saying that this book will remain confined to the theoretical level. --- Dit is reg, Edele, die boek bly op die teoretiese vlak, maar dit is nie dat die werk van Easton as sodanig of die werk wat daarin vervat is as sodanig slegs sal ek sê ingeperk is op teoretiese vlak nie, en dat dit derhalwe geen aanwending in die praktyk of geen verband 10 met die praktyk of geen verband met empiriese verskynsels het nie.

No one has suggested that, we are just trying to characterise and put in its setting the work of Easton. --- Hierdie besondere boek van Easton.

Yes, well is there anything else which takes it further? --- Nee, nie sover ek weet nie.

Well, Easton is this book? --- Nee.

What else is there of interest? --- Daar is heelwat..

(Mr. Sogot intervenes)

20

As far as his systems theory is concerned? --- Daar is nog twee ander boeke oor stelsel analise, en dan is daar verskeie ander werke wat hy sedertdien geskryf het.

But do those involve the development or change of the concepts here? --- Nee, dit is in sekere mate miskien toepassings daarvan.

You mean a sort of operationalisation? --- Ja, miskien sekere konsepte daarvan.

Can you name one? --- Sover ek weet een gebied waarop hy gewerk het is byvoorbeeld die gebied van 30 sosialisering, as ek reg onthou.

and / ...

And did he try to operationalise his concepts there?

--- Ek kan nie vir u spesifiek 'n waarborg gee op die stadium dat die konsepte wat hy daar gebruik het identies is aan die konsepte wat hy hier gebruik het nie.

HOF: Maar dié teorieë wat 'n mens uit so 'n boek kry soos Easton, is dit nie baie afhanklik van die stelling van Barrington Moore wat mnr. Soggot na verwys het nie. As ek daardie reg verstaan het dan kom dit net daarop neer jy kan nie jou verlaat op 'n teorie nie, want die faktore is onbetroubaar en dit is so veranderlik dat jy nie kan presies 10 sê - sodat jy glad nie kan voorspel nie? --- Edele, die poging, of sal ek sê die hele doel agter teorie ontwikkeling is 'n begrip - of sal ek sê is om 'n begrip op te bou aangaande empiriese werklikhede, en volgende op die begrip 'n vorm van voorspelling, 'n mate van voorspelling.

Sluit dit nie miskien aan by die eerste deel wat u gelees het uit Easton nie, dat jy kan nie 'n teorie vasstel nie jy kan alleen na die ervaring kyk, en dan kan jy die resultaat van die ervaring neem as assumpsies as jy iets wil uitwerk? --- Edele, dit is presies die essensie van 20 empiriese teorie, dat 'n mens verskynsels in die werklikheid waarneem, en dat hierdie verskynsels dan in teoretiese vorm in die vorm van proposisies gestel word.

As assumpsies gestel word? --- En dan afhange van die mate van weerklank wat dit in die empiriese wêreld het kan 'n mens dit as proposisie stel.

Maar dit dwing af teen die gedagte van 'n teorie, dat jy 'n teorie het en op daardie teorie kan jy eintlik werk en staatmaak? --- Ekskuus, Edele?

Dit dwing af van die gedagte dat jy 'n teorie het 30 en jy kan werk op daardie teorie? --- Dit hang baie af van

die / ...

die status en stand van besondere teorieë, maar in die algemeen is die doel van teorie om die werklikheid te verklaar.

Maar jy kan alleen verklaar wat gebeur het essensieel, maar jy kan nie eintlik op 'n teorie 'n prognose weergee nie omdat jou teorie - omdat jou prognose is so afhanklik van veranderlike omstandighede, onbetroubare omstandighede en faktore? ---- Ja, Edele, dit hang af in watter mate die veranderlikes in die omstandighede deur die teorie in aanmerking geneem word. 10

Dit is as u die resultaat ontleed, maar as jy die voltooid resultaat het, dan het jy daardie posisie? ---- Edele, die hele proses van teorie konstruksie is om van sulke werklike situasies dan te probeer om veralgemenings te maak wat verklarings bied vir al die fasette van daardie omstandigheid.

Verklarings bied van 'n gedragslyn? ---- Van 'n gedragslyn.

Verklarings bied van 'n gedragslyn tot op 'n punt, maar jy kan dit nie verder neem nie want daar is ander 20 faktore wat jou in die steek gaan laat? ---- Korrek, Edele, in die sin dat ons insigte in die verband is nog in 'n sekere mate beperk, in die sin dat dit heeltemal korrek is dat daar soveel veranderlikes is wat oor die tyd kan tussenbei tree, dat veral langtermyn voorspellings op grond van teorie redelik moeilik is ten opsigte van sekere dinge.

MR. SOGGOT: Mr. van der Merwe, what I wanted to put to you in fact is perhaps foreshadowed by His Lordship's question, is in fact that one needs a consistency of facts and systematic understanding as to the behaviour of facts and 30 circumstances before you can say that you have got a theory?

Dit / ...



--- Dit is korrek, Edele.

And before you have a theory you cannot pretend to predict or to make a prognosis or a diagnosis? --- Dit hang af, u gebruik weer die woord teorie baie breed, waar 'n mens teoretiese veronderstellinge het wat die gedragsarea wat 'n mens ontleed dek, dan kan 'n mens daardie situasie voldoende verklaar.

COURT: Mr. Soggot, are you people not at cross-purposes? Is he really saying that given a theory on which he works, is something that can only sort of prognosticate a probability 10 and you cannot put it higher than that because there are these variable factors. So all that he can say is well, there is a probability, or from human experience or from past experience one would expect such a result, but there is no assurance that the result will follow.

MR. SOGGOT: But if he says, M'lord, there is a probability then we say that he is contradicting everything in political science.

COURT: No, when he says there is a probability, he is assuming the point which is made I think by Easton - if I 20 understand him correctly, well you say yourself he is difficult, I am only trying to understand.

MR. SOGGOT: M'lord, I am trying to skirt Easton as much as possible, I assure Your Lordship it is so complicated, there are so many abstractions.

COURT: Well now, what I follow from Easton is that because of past experiences you can devise a theory, and you can then on the assumption of that theory, try and work out some more embracing theory.

MR. SOGGOT: M'lord, my understanding is that Easton does 30 not say that, in fact, may I perhaps in reply to Your Lordship put / ...

put a question to the witness? Let me put to you what I have been instructed, and that is that the approach of Easton is that you cannot look at the empirical world without any guide as to what facts are relevant and what facts are interesting. Easton is offering a conceptual guide which suggests which kinds of facts are interesting for political theorists, that is, what facts are relevant if he wants to establish how a political system works. Do you understand that proposition, Mr. van der Merwe? --- Edele, ek sal graag dit op skrif wil sien. 10

Well, may I hand it to the witness, M'lord, - pause -  
COURT: In other words you use your findings as assumptions for further reasoning?

MR. SOGGOT: M'lord, it sounds - I speak with a layman's ignorance which I will cling to - it sounds as if Easton is saying what is important is we must find out what the proper directions for study are.

MR. REES: M'lord, I see my learned friend says "we are instructed", I see he has three instructing gentlemen behind him, perhaps he would indicate which one instructs because 20 I would like to ask that instructor a few questions.

COURT: Well you can ask all three if you like.

MR. REES: Yes, but then the one says it is my learned friend, and the other one says it is the other one.

MR. SOGGOT: I understand it was a unanimous vote, M'lord.

HOF: Moet n mens nie baie duidelikheid hê van die begrippe as n mens eintlik hierdie vlak probeer redeneer nie? --- Van watter begrippe, Edele?

Van die begrippe wat gebruik word deur Easton? --- Ja, Edele, dit is eintlik so. 30

Yes, Mr. Soggot?

Mr. / ...

MR. SOGGOT: I am just waiting for the witness to finish reading, M'lord. That is a proposition we put to you as to what Easton is about and we invite your comment. --- Edele, hierdie stelling kom daarop neer hy sê "Easton is offering a conceptual guide etcetera - for what facts are relevant if we want to establish how a political system works". Met ander woorde hy reken Easton se werk is 'n begripsgids aangaande watter feite relevant is as ons wil vasstel hoe 'n politieke stelsel werk. Ek dink, Edele, dat hoewel die basiese wat daarin vervat is sekerlik waar is, dink ek gaan 10 Easton se werk darem effens verder as dit in die sin dat hy nie net 'n begripsgids is nie -- a conceptual guide -- ek dink hy is 'n bietjie meer as dit.

Very well. Mr. van der Merwe, I wonder if we can get a little bit down to earth, if we could deal with the question of specific support. Could you just, without referring to Easton, tell us your understanding of what specific support is in the Eastonian system? --- Edele, is dit nou 'n mondelinge eksamen wat ek moet aflê?

No, Mr. van der Merwe, I do not want to be unfair 20 to you, but we are interested in testing your understanding as at the stage when you formulated your approach, and that is why I have invited you to tell us what the definition of specific support is without reference to Easton.

COURT: Do you want to know his own view?

MR. SOGGOT: What his understanding is. --- Edele, toe ek my raamwerk opgestel het of daarmee gewerk het, het ek direkte toegang gehad tot Easton, en op die stadium wat ek dit aan die Hof gestel het, het ek natuurlik onlangse toegang daartoe gehad, maar onder omstandighede, Edele, met 30 spesifieke steun word bedoel steun wat gebaseer is basies op die / ...



die voordeel wat - met ander woorde spesifieke steun is steun wat uit die gemeenskap aan die stelsel verleen word, op grond van, of sal ek sê basies op grond van voordele wat die stelsel vir die gemeenskap inhou.

Is it as general as that? --- Edele, Easton se begrip ek meen waar hy dit definieer is dit natuurlik baie ingewikkelder as dit.

HOF: Sal u ons net 'n voorbeeld gee van spesifieke steun, wat u in gedagte het? --- In die sin dat mense byvoorbeeld belasting betaal omdat die regering paaie bou. Dit is 10 die mees basiese vorm van spesifieke steun.

Wel steun waarsonder die regering nie kan klaarkom as hy wil regeer nie? --- Dit is korrek.

MR. SOGGOT: But as you understand it, it is support which they give because of the services supplied by the government in general, presumably the policing of a place, the supply of a radio network, isn't that the sort of thing you are thinking of? --- In die algemeen, die voordeel wat die gemeenskap van die stelsel verwag. Dit kan ook op 'n baie hoër vlak as die praktiese geleë wees. 20

And what would that be, can you give us an example if I may ask? --- Byvoorbeeld die handhawing van taal.

Well, Mr. van der Merwe, I want with respect to put it to you that there seems to be a misunderstanding on your part of what Easton refers to by specific support. Would you please have a look at page 267? --- Ek het dit.

When one refers to output, perhaps to make this a little bit sensical before we read it, does output refer to what the authorities or the regime does? --- That is right.

In your particular example it would be the provision 30 of roads? --- Dit sou 'n uitset wees.

Well / ...

Well, if we may read from - have you got the sentence: outputs and specific support - page 267? --- Ek het dit.

"Implicit in what I have already said about outputs is the idea that in part support for any of the political objects will in the long run depend upon the members being persuaded that outputs are in fact meeting their demands, or that they can be expected to do so within a reasonable time. Output failure can be said to occur when members feel that outputs are not likely to do so. When we come to 10 discuss output in detail, I shall take up this theme again and explore its many implications, but what is of importance here is that at times the input of support may flow as a consequence from some specific satisfactions obtained from the system with respect to a demand that the members make, can be expected to make, or that is made on their behalf. Where support is in this way a quid pro quo for the fulfilment of demand, I shall call it specific support". 20

Then he goes on to give examples:

"For example the trade union seeks a higher minimum wage and persuades the Legislature to approve of it".

That, Mr. van der Merwe, would be a quid pro quo, to use Easton's phrase? --- Ja.

"Next, elderly members and those responsible for them seek publicly controlled programmes of medical care. Farmers appeal for a more generous underpinning of the prices for their produce and obtain laws to that effect". 30

Isn't Mr. Easton talking about something much more specific than / ...

than the mere output of the system in the way of roads and the maintenance of them? --- Edele, met alle respek, nadat ek hierdie gedeelte gelees het, kan ek nie sien waarop - ek meen, die enigste verskil tussen die voorbeelde wat ek genoem het en die voorbeelde wat hy noem is dat my voorbeeld op 'n laer vlak was, maar dit is presies dieselfde, die essensie van my antwoord was dat dit 'n quid pro quo is. Edele, met respek ek dink my antwoord was baie goed in by wat spesifiek in hierdie paragraaf gelees is. Ek het byvoorbeeld genoem die handhawing van 'n taal, nou 'n mens 10 sou iets hier kon parafraseer - elderly members and those responsible for them seek suitably public controlled programmes of medical care, and farmers appeal for a more generous underpinning of the prices for their produce and obtain laws to that effect" - 'n taalgroep soek maatreëls om hulle taal te handhaaf en verkry wette tot daardie effek.

Well had you said "taalgroep" that would have made it clear you are talking about a specific demand, but you referred to roads which are general, everyone is the recipient of that benefit? --- Ek is bevrees ons begrip van 20 spesifiek verskil, in die sin ..(Hof kom tussenbei)

HOF: Die man wat belasting betaal hy verwag paaië, en hy verwag ander goed? --- Korrek, Edele, en spesifiek daarse bedoel ek dat dit 'n spesifieke - sal ek sê - 'n spesifieke ding is wat gevra word, nie dat dit uit 'n spesifieke groep noodwendig kom nie.

So u sê spesifiek daarse het betrekking op 'n spesifieke voordeel? --- Spesifieke voordele, wat groepe of die hele bevolking kan toekom.

MR. SOGGOT: I just want to suggest to you that if it were 30 that I pay my tax, if the government is going to build a road onto / ...



onto my farm, that would be a proper example of specific support, but not the other way round, namely, that they are going to build a road between Cape Town and Johannesburg?

--- Nee, Edele, ek meen daar gee ek toe, maar daardie element van quid pro quo is nog altyd daar in die sin - POUSE

Now, Mr. van der Merwe, can you tell His Lordship what you understand by diffuse support? --- Edele, dit is meer steun wat uit die gemeenskap voortvloei op grond van algemene en langtermyn voordele, wat uit die stelsel voortvloei, en onder andere wat ook verleen kan word op grond van die legitimititeit, dit is in ander woorde steun wat gebaseer is op 'n algemene gevoel dat die bestaan van die stelsel vir hulle voordeel inhou, en dit is dan nie aan spesifieke dinge verbonde nie. 10

HOF: Kan u ons 'n voorbeeld gee daarvan? --- Edele, die blote gevoel dat die regering, ek meen dat regering wet en orde meebring, en dat dit voordelig is vir die samelewing.

So wetsgehoorsaamheid eintlik? --- Wetsgehoorsaamheid sal 'n vorm daarvan wees, Edele.

MR. SOGGOT: Can you think of any other example, Mr. van der Merwe? --- Soos ek sê, Edele, die legitimititeit, ek meen -- bedoel u nou enige spesifieke voorbeeld van wat? 20

Of diffuse support? --- Wel ek het min of meer omskryf wat diffuse steun is.

It does involve the rewards I think which people get from the system, is that right? --- But in a very long term.

And then it is a belief that the government is there for its general good, is that right? --- Nee, dit is hoeltemal 'n ander stelling.

Well please correct me. --- Wel die stelling wat u gemaak het dat die regering daar is ter wille van hulle algemene / ... 30

algemene goed is 'n baie normatiewe stelling, die stelling is net effens anders, naamlik dat die bestaan van die stelsel in die algemeen vir die gemeenskap goed is.

ROF: Wel as die Weermag mense oproep, om gehoor te gee daaraan, sou dit diffuse steun wees? --- Edele, dit mag onder sekere omstandighede, sal ek sê die feit dat die mense gehoor gee aan die oproep is 'n vorm van steun. Maar daarin sal waarskynlik elemente van beide spesifieke steun en van diffuse steun wees.

En die oproep om inflasie teë te werk? --- Edele, 10 dit sal - ek moet sê dit is 'n moeilike een om te plaas, maar ek dink dit is ook op die vlak van spesifieke steun.

MR. SOGGOT: Now, Mr. van der Merwe, I just want to see what I have here, it is the very long term rewards which come from the system, the output of the system? --- Onder andere.

That is one thing, and the other thing that you mentioned is the belief that they get suitable rewards in the sense, or rather that the government is congenial to their needs and is a proper thing which would come for example from the maintenance of law and order? ---- Ja, Edele ..(Mr. 20 Soggot intervenes)

I may be expressing it clumsily, but is that the idea? ---- Ja, ongeveer, ek meen die element van wettigheid kom ook daarby in, in die sin dat daar 'n gevoel by die bevolking bestaan dat die regering behoort te regeer, dat dit reg is dat hy regeer.

Then you have got those three things, the last being "wettigheid", is there anything else? --- Nie wat ek op die oomblik spesifiek aan kan dink nie.

Well may I read to you from page 273 please. --- I 30 have got that.

Diffuse / ...

Diffuse support. This analysis enables us to identify diffuse or unconditional attachment as a second type of support. As we have seen, specific support flows from the favourable attitudes and predispositions stimulated by output that are received by members to meet their demands as they arise or in anticipation. The specific rewards help to compensate for any satisfactions as failing to have all demands met, but simultaneously members are capable of directing diffuse support towards the objects of the system. This forms a reservoir of favourable attitudes or goodwill, that helps members to accept or tolerate outputs to which they are opposed, or the effects of which they feel is damaging to their wants. Except - and this is the part we are concerned with -

Except in the long run diffuse support is independent of the effects of daily output, it consists of a reserve of support that enables the system to weather the many storms when outputs cannot be balanced off against inputs of demands. It is a kind of support that the system does not have to buy with more or less direct benefits for the obligations and responsibilities to the members incurred - of the member incurs. If we wish, the outputs here may be considered psychic or symbolic, and in this sense they may offer the individual immediate benefits strong enough to stimulate a supportive response. Members may get satisfaction, for example, from the promise of future greatness for their system, and even some gratification from being made to feel an important / ...



important part of the larger historic process that calls for present restraint on behalf of future benefits for the political system, an object with which they have come to identify in and for itself, and they feel such contentment with their life situation that they generalise this feeling to include the political system itself in all its aspects. It would be misleading, however, to equate these kinds of diffuse benefits with rewards deriving from outputs that satisfy specific demands here and now as for 10 a tariff, a minimum wage, high economic growth rate, or publicly financed medical care" -

examples I suppose of specific support.

At its highest level of input, although from the point of view of an ethic of rationality not necessarily in its most admirable form, the reservoir of diffuse support might be fed by a feeling of blinding loyalty to the authorities, regime or community.

Such unquestioning loyalty reflects the kind of attachment for which specific benefits are not 20 expected, except for the psychic - and he uses that word again - psychic satisfactions of identification with or subordination to a higher cause or object.

If we assume that most kinds of patriotism reflects some degree of deep attachment, such attitudes enable a system to violate the expectation of its members with considerable impunity. If excessive a noisy patriotism is a poor symbol of true support, at least a notion of la patrie - which I think we would

translate as the Fatherland - in its finer sense 30 identifies the presence of powerful ties to the political / ...

political community for itself alone, rather than for what the individual expects to derive from it. Ties that only persistent failure in output would be likely to sever. But regardless of the many names that we have for the sentiment that defines diffuse support, its one major characteristic is that since it is an attachment to a political object for its own sake, it constitutes a store of political goodwill. As such it taps deep political sentiments ....and so on.

10

Now, what I want to ask you is this, when Easton refers to outputs here may be considered psychic or symbolic, being things for their own sake, where do you - how do you link this up with your definition of diffuse support? --- Edele, in die algemene gevoel dat die voortbestaan van die stelsel goed is.

But that you see is linked to reality, this man is talking about psychological things - the Fatherland, la patrie, something psychic and inherent for its own sake, or the sense of being part of the historic process. --- Ja.

20

How does that link up with your definition? --- Want dit is alles deel van hierdie algemene gevoel dat die voortbestaan van die stelsel goed is.

Your definition is on record, all I wanted to put to you is that you mentioned the issue of the long term rewards, the sense that the government is doing proper things for them, and the third, the question of legitimacy, that is the wettigheid, and I want to suggest to you that none of those are properly subsumed under Mr. Easton's definition of diffuse support? --- Ek sal stel dat die algemene strekking daarvan ongeveer dieselfde is.

30

Well / ...

Well, Mr. van der Merwe, the evidence is there. What I would like to ask you now is this, in your evidence you made - I am sorry, I withdraw that, we have heard of legitimacy in respect of the political community, the regime and the authorities, they are all dependent on their legitimacy, which is perceived as something psychological, not so? --- Dit is korrek.

The question that I wanted to ask you is that apart from those three concepts, are there any other factors or concepts in the Eastonian structure, which rests on legitimacy? --- Ek sal moet vra dat die vraag herhaal word, ek is jammer. 10

What I am asking is that apart from the question of regime, authorities, political community, is there any other concept in the Eastonian world which - in the way that that trinity requires legitimacy - requires legitimacy? --- Edele, ek weet nie waarop daar nou afgestuur word nie.

Well, let me get directly to the point, when you gave evidence you said that certain documents reduced the legitimacy of the White people, and as such that reduced the legitimacy of the system. Can you point to any passage in Easton which authorises such a line of reasoning or thinking? --- Ja, Edele, ek sal dit kan doen. Edele, om die spesifieke passaat te vind mag miskien effentjies tyd neem, ek kan net vir u die breedweg stel waarop ek dit baseer, dan kan ek vir u die spesifieke passaat in die hande kry. 20

Perhaps, Mr. van der Merwe, you could look for that passage as also the other things overnight? --- Ja, as u nou vir my miskien in lys kan gee van al die goed wat ek vir u moet gaan soek. 30

Yes / ...



Yes, well we will attempt to do that, but I think you did indicate to His Lordship that you would give an explanation now, would you do that? ---- Ja, seker, Edele, daar is 'n mate - ek meen die legitimiteit van daardie drie elemente van die stelsel, naamlik, die owerheidsbekleders, die regime, en die politieke gemeenskap, en dan spesifiek tussen die politieke gesagsbekleders en die regime is daar 'n mate van oordraagbaarheid van legitimiteit, in die sin dat as die regeerders swak is op so 'n manier dat die legitimiteit aangetas word, sal daar 'n mate van oorvloed 10 van daardie skade aan die legitimiteit wees na die regime.

Well I think that was inherent in your evidence, I mean that you have said. ---- Ja.

All we are asking you to do in fact is give authority for that line of reasoning in Easton. ---- Wel dit sal ek .. (Mr. Soggot intervenes)

We do understand you, Mr. van der Merwe, it is just that ..(witness intervenes) --- Ek sal dit kan doen, om die spesifieke passaat te kry.

Then, Mr. van der Merwe, could I perhaps deal with 20 this last point before there is an adjournment, the question of support, I think the first proposition is that a system requires support, is that correct? ---- Ja.

And in particular a regime and authorities, they all require support? ---- Korrek.

Now, the support of whom? ---- Van die polities relevante lede van die gemeenskap.

That word relevant you have never mentioned before in this trial, but we now have it, from the politically relevant members of the community, is that right? ---- Ja. 30

Who are they? ---- Dit is diegene wat die mag het of wat / ...

wat oor een of ander vorm van mag beskik, nee, dit is eintlik diegene wie se steun vir die stelsel onontbeerlik is, in mags terme sou 'n mens dit sou kon verklaar as sê diegene wat oor politieke mag in enige vorm beskik, en dit sluit dan eintlik in ekonomiese mag ensovoorts.

Is that what Easton says, that it includes people with economic power? ---- Dit kan ek nie spesifiek onthou of hy dit so stel nie.

Would you say the Blacks are politically relevant members in Eastonian terms, when I refer to Blacks I am talking about Africans, Indians and Coloureds. 10

MR. REES INTERVENES: M'lord, I think this question is unfair at the moment, if my learned friend wants it in Eastonian terms he must give the witness the reference to this Easton, and then he must ask him whether it fits there or not, because the witness' concept and Easton's is not necessarily the same. My learned friend has been using this type of cross-examination quite a lot to ally not necessarily similar concepts into one another and then place a question based not neither the one nor the other. 20

MR. SOGGOT: I would have thought my learned friend would have objected earlier, M'lord.

COURT: Anyway, I think we will give Mr. van der Merwe an opportunity to find his reference.

COURT ADJOURNS

/VMD.

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