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IN THE SUPREME COURT OF SOUTH AFRICA
(WITWATERSRAND LOCAL DIVISION)

CASE NO.: 163/82

DATE: 16 AUGUST 1982

THE STATE VERSUS:

BARBARA ANNE HOGAN

BEFORE:

JUDGE VAN DYK

FOR THE STATE:

ADV J A SWANEPOEL and
ADV W J J HANEKOM

FOR THE DEFENCE:

ADV G BIZOS SC and
ADV D KUNY

CHARGE:

(SEE CHARGE SHEET)

PLEA:

(SEE RECORD)

VOLUME 4: Pages 301 - 400

LUBBE Recordings
Opnames

Did you attend the meeting held to discuss the strike by the Media Workers Association of S.A. also known as MWASA at which Allen Fine, Monty Noorsom were present according to the admissions that you have made? --- I attended a meeting to discuss MWASA, it was not held by MWASA. Yes I did attend that meeting. A problem had arisen there. MWASA at a public meeting in which it had called for support had specifically rejected support from white people and we were concerned about that because some of us had been involved (10 in boycotts before.

You are speaking as "we", who is "we"? --- Monty Noorsom, Allen Fine. Some of us had been involved in boycotts before and had an understanding of how to work in boycotts and we felt that the kind of rejection of whites was unnecessary at the time given that a boycott can't afford to be selective about who they want them to support them and we discussed that question how we could provide support although being rejected.

The Media Workers Association of S.A.? --- Yes. (20

Did you attend a meeting held to discuss the possible launching of a boycott of Golgate products at which Gavin Anderson, Neil Aggett, Joanne Yawitch and Allen Fine were present? --- Yes I attended a meeting on that. The Golgate boycott posed another problem for us. In fact the workers hadn't yet gone on strike and the union had called for a boycott and that we felt we could not support for that reason. We felt that there had to be a reason for a boycott and there were differences of opinion. Gavin thought that (30

B.A. Logan

we should support it and I thought that we shouldn't and we tried to sort out that differences of opinion at that meeting. Another reason why we had that meeting was that FASATU had being a multi-trade union had refused to support other boycott activities and we knew that many people who had been active in those boycott activities would recent having now to support FASATU in a call for a boycott because of FASATU's previous position.

Did you attend these meetings as a member of (10 the ANC or would you have attended them irrespective of your membership of the ANC? --- I would have attended them irrespective of my membership yes. In fact the ANC, I noticed in one of those documents handed in Court, said they did not support the red meat boycott. That was one of the areas they had neglected.

Just whilst we are on those documents, you remember that one of those documents was highly critical of people who spend their time trying to establish clinics for the sick and other comforts for those who (20 are not as fortunate as others, do you go along with that? --- I don't go along with that. I think those were strong words meant to emphasize another point and I was involved in a rural and community development trust in which I was doing precisely that work, assisting in setting up of clinics, creches, vegetable gardens for people in the rural areas.

THE COURT ADJOURNS UNTIL 25.8.82 AT 10.00 A.M.

ON RESUMPTION ON 25.8.82 AT 10.00 A.M.

BARBARA A. HOGAN: (Still under Oath)

(30

EXAMINED BY MR. BIZOS: (Cont.) Yesterday, you told

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his lordship about the dead letter boxes? --- Yes, I opened a box in Bedford View. Marius was unsure of the Bedfordview one, he felt that it might not be safe for me to use it as I had it for some time. I never used it, I opened it, I think about, could you correct me on the dates, 1979 some time.

You don't remember the date? --- I don't remember the date, but I never used it for a year until the beginning of January 1981.

COURT: I'm not sure that I fully heard the reason (10 why you opened it because Marius was unsure about what? --- When I was working with Swaziland, I had opened a postal box in Bedfordview and I think Marius just wanted me to open up a completely new one because that one had been for Swaziland and he was not working for Swaziland as such and I think he just wanted a completely fresh one.

MR. BIZOS: You said that although you opened it it was never really used? --- Until January, February 1981.

What was it used for them? --- Then it was (20 used as a DLB.

Just explain that to his lordship please? --- The Dead Letter Box was used. Schoon had a duplicate key to the post office box. I had to deposit a letter there at a specific time and return later and pick up a message which had been left for me there by someone sent by Schoon.

Was it really used in order to sent information or to receive information or not? --- It was used to receive and send information in a limited fashion (30

because/...

because it was all in code and there is not much that you can send in code.

Did you give up that post box? --- What do you mean, give up?

Did you ever give it up or did it continue?
--- I was detained before my ownership to it expired. It expired in December.

You have admitted that Colin Pur[?]quee was used to bring you a message or a letter, did he know the contents of the message or document? --- No he had (10 no idea of the contents of the message or the document.

What is the RCDT? --- The RCDT, the full name is the Rural and Community Development Trust. That is a trust which was set up several years ago in about 1978 and the aim of the trust was to provide funds for tiny development projects in the rural areas. The thrust of the trust was to look for projects that normally would not fall in the way of funding people possibly because the people who applied for funds were illiterate or did not know the normal channels for (20 funding.

Would you please have a look at Exhibit 22. Are the purposes of the trust set out in that document?
--- "B22" yes, it does.

And what was your association with it? --- I was asked to be secretary to that trust in July 1980 which basically meant being administrative secretary, dealing with correspondence and preparing the agenda for meetings convened to discuss projects that had applied for money. It also meant visiting projects (30

to see that they were actually using the money in the way intended.

Did you view this as ANC work? --- No I did not.

Did the fact that you were a member of the ANC influence you in any way in doing or not doing anything which was in the best interests of this trust? --- No.

What is JOBS? --- The full name is the Johannesburg Organisation to Boost Self-help.

What are the main objects of that organisation? --- The objects of that organisation are to assist with (10 and to promote self-help groups, that is unemployed people working in self-help groups and to try and find employment for people, unemployed black people.

And what was your association with JOBS? --- I worked as a volunteer about once or twice a week in the afternoons or mornings in the office which helped people to find jobs.

Did you view that activity as an activity which you were carrying out on behalf of the ANC? --- I never viewed that activity as an activity I was carrying out (20 on behalf of the ANC, however, I was looking at JOBS as an organisation from out of which I could possibly develop an unemployment union, but not to change JOBS itself into an unemployment union.

You were gaining experience in relation to unemployment on which you were doing an MA and in which the ANC also had an interest? --- That's right.

Did you try to get any organisations to join the ANC or to further the aims of the ANC? --- No I did not, nor did I try to get any people to join the ANC. (30

B.A. Hogan

Would you please tell his lordship what groups you were referring to when in B2 you referred to groups adopting the ANC position? --- I was referring not to any formal group, all I was referring to informal groupings of people, mainly in the White Left.

Other than the "training" which you received from Schoon in relation to this code, did you receive any other training from the ANC? --- No I never received any ideological training, the only training was the code, there wasn't time for training. (10)

Did you hear the evidence of Major Williamson about at least after he had spent two years gathering information that he was then subjected to a fair amount of ideological training. Does that accord with your experience at all in the ANC? --- No, not at all. My contact with the ANC outside of South Africa was limited, very, very limited. It did not allow for that time of training.

I now would like you to please have a look at the B-series exhibits. These are the documents which (20 were in the main found in your apartment. Insofar as some of them have not been explained and some of them may not speak for themselves I would like you to please tell his lordship about them. The first exhibits up to B6 even possibly 7 deal with the Unemployed Workers Union. Would you please tell his lordship what B7 is and if anyone wants any further explanations they can ask you about it. Just tell his lordship what B7 is? --- B7 entitled "What is a Scab" is an article that I wrote explaining what is a scab. (30

And/...

B.A. Hogan

And what is B8? --- B8 is a document sent to me by Sisa Njikelana, vice-president of the South African Allied Workers Union. It was a document which that union had produced as guidelines for organising workers.

Did you receive that in your capacity as a member of the ANC? --- No.

Or did you need it for your studies or was it within your field of interest? --- It was in my field of interest, not in my capacity as an ANC member. (10

B9? --- B9 is the confirmation from the university for me to enroll for the degree of Master of Arts. It had approved my thesis title and this was confirmation of its approval.

Please carry on? --- The next one, is it B12?

MR. SWANEPOEL: I think the witness is mixed up, all the documents are marked. She has now referred to one the confirmation from the university as B9, but B9 is Guide lines on effectively organising workers. They are all marked at the right hand top. --- The photo- (20 stats does not give the numbering.

MR. BIZOS: Let's try and confirm the numbering with My Learned Friend. You read out the title of the document. --- The last one that I referred to, the heading is University of the Witwatersrand of Johannesburg and it is a letter to me.

That is B11.

COURT: If we could just go back to B9, what is that? That is headed South African Workers Union - Getting set for Operation? --- That's right.

What

What is B9? --- That is a document sent to me by Sisa Njikelana of the SAAWU, he is vice-president of it.

MR. BIZOS: Your lordship has the evidence in that regard, your lordship merely has to change the exhibit number M'lord.

The one after your acceptance as an MA student? --- The letter B11 as I understand, is that correct?

The letter is B11 and it speaks for itself. Please deal with the next one? --- The next one, Out- (10 line of Proposed Study and that was the outline of what I proposed to do in my thesis which was accepted by the university. "B12."

Yes? --- The next one B13 is a progress report I sent to my supervisor for my thesis something that I had to do on and off.

Is that so that your supervisor could keep a check whether you were doing any work or not? --- Correct.

Is that the document, I haven't got the document in front of me, if I remember it correctly, which has (20 an annexure at the back which deals with the books that you had been reading? --- No, that is in the previous one in the outline of my proposed study. Page. 3

I see, are those the books you were going to read? --- Yes.

Please carry on? --- "B15".

COURT: "B14". It is headed Trade Unions and Organisation, starting with para 1 the aims of trade unions. --- That is further on, I have that. Trade Unions and Organisations. That is a document given to me by (30

Neil Aggett outlining how to run an organisation democratically.

MR. BIZOS: What kind of organisation? --- A trade union.

And was that received in your capacity as a member of the ANC or was it something that was in your field of interest? --- It was in my field of interest.

And B15? --- That is headed, 1970 - 22 Detentions ..." This is a copy of notes that I made from the South African Institute of Race Relations Annual (10 Surveys in preparation for a talk which I gave on the history of black opposition in South Africa in the 1970's. The talks that I gave to a group of medical doctors and students. I had been asked to do so. That talk was given in about August 1981.

Was that talk given surreptitiously? --- No it was an academic, it was given at the university in an academic capacity.

Under the auspices of a university society? --- Of the Students Medical Society. (20

Yes and B16? --- Called The State Capital and Working Class Resistance. The talk which I referred to just now was supposed, was originally supposed to have been given by ~~Aunt~~ van Heerden. He couldn't give the talk and the convener for the meeting Dr. Steinberg gave me an outline of the talk which Mr. van Heerden had intended giving. However, I did not follow this outline, I chose to do it my way.

What is your outline there, B16, is that Mr. van Heerden's outline? --- That's right. (30

Which/...

Which is your outline? --- I don't have an outline, all I have as I say, are those notes headed .. and 22 others, which I made from the Institute of Race Relations's survey.

"B15"? --- Yes.

Please deal with the next one? --- "B17" that is - I cannot read it clearly - The Decline of African Trade Unionism. By S.E. Freedman.

COURT: Some indictments? --- Yes. That document was an academic article written by a friend of mine, (10 Steven Freedman, written in about 1973, which looked at the history of trade unionism in Southern Africa.

MR. BIZOS: And why did you have it? --- I had many documents, I had hundreds of documents which I kept in different files under various categories. In my academic work I kept documents.

Was this within your sphere of interest? --- Yes.

Please deal with the next one B18? --- Is that headed intellectualism?

COURT: It is headed the Pan Africanist Congress, (20 Positive Action and the Poko uprising by Tom Lodge, University of New York. --- I don't have that in the collection here.

MR. BIZOS: Judging by the description that has been given .. thank you M'lord, I'm indebted to your lordship. --- This is a document, when I was writing my thesis on Nationalism, I spoke to Mr. Tom Lodge who is an authority on Nationalism, a university lecturer at Wits university and he gave me this article, it was an article which he himself had written which dealt with (30 aspects/..

aspects of PAC Nationalism.

Is that a photostat from a printed article from some journal? --- Roneod reproduction.

Would you please deal with the next one? ---

B19. Introduction.

To what? --- It is a, this was a Master's thesis written by a lecturer at the University of the Witwatersrand, Dan O'Mara, it was a Master's thesis I think on the history of the ANC up to the '50's, I'm not sure. I did not read it in much detail. (10

Why did you have that? --- When I was studying when I was doing the thesis on Nationalism, I was comparing the different kinds of nationalisms that had emerged and I read that article in connection with that, skimmed through it.

That is the thesis for your BA Honours? --- Correct.

B.20? --- B.20 the heading: Intellectualism. That was an article given to me by my flat mate Barbara Klugman written by someone in Cape Town, unknown to me. (20 It was an article criticising the lifestyles and thinking of white left people, particularly their tendencies to be undemocratic.

Were you interested in the lifestyles of people? --- Well at the time there was a lot of confusion and debate going around what is democracy and this was seen as participating in that debate.

Did you have that in your possession as a member of the ANC? --- No.

Would you please deal with the next document? (30

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--- Exhibit 21 headed "Community Organisation, what is progressive community organisation?" Those were notes that I made from a book, I think called Radical Social Work made in the course of my studying, reading for my Master's degree.

B.22 you have explained that, that is the document that sets out the principles of the RCDT. The Rural Community Development Trust. That speaks for itself. Will you please deal with the next one? --- My next one is B.32. (10

COURT: Mine starts at 31. Have a look at it. --- This was a list of questions that I had made up in order to interview Sisa Njikelana, who as I said was vice president of the SAAWU and was also an office bearer for an unemployment workers union which had just started up in East London. These are questions that I thought I would ask him and it has some of the responses that he gave me.

MR. BIZOS: If your lordship would bear with me a moment. Is there a large gap in your lordship's documents as (20 well M'lord.

COURT: They may be filed in another file, I don't know.

MR. BIZOS: Oh, those are the posters, I see. The mystery has been solved, the balance are the posters M'lord.

Are you a poster collector? --- No my flat mate is.

Did you have any posters in your room? --- No I had no posters in my room.

There appear to be, to have been two paintings (30

in/...

in your room judging from the photographs that we have?

--- That's correct.

And these posters, where were they put up? ---
There were the posters photographs were put up in the entrance hall of my flat. I had put up two posters both dealing with support for the Wilson Rowntree's boycott. My flat mate and I had decided to cheer up the entrance hall. I went away for two weeks and when I returned my flat mate had put up the other posters and I was detained a day later after that, so I did not (10 really discuss it with her.

Would you please have a look at Exhibit 32?
Please explain to his lordship what that is? --- Exhibit 32 with the short title SAVO on it are notes taken from newspaper clippings about the growth of the black trade union movement and various statements by different members of the different trade unions. It was made in preparation for a talk that I gave to a trade union. The Commercial Catering and Allied Workers Union of S.A. on the history of trade unionism in S.A. in the 70's. (20

I want you to please have a look at Exhibit B in the Magistrate Court hearing where you gave evidence. That is the blue covered document, also marked as F2 before your lordship. Do you remember been shown that document at the Magistrates Court? --- I remember being shown this document because of the blue cover.

Were you asked whether you had been in possession of that document? --- Yes I was.

And what was your answer? --- No I had never seen that document in my life before. (30

And what is your answer to his lordship now? ---
I have never seen this document in my life before.

And documents looking like it, like F1, what appears to be a shortened version before his lordship, did you see anything like this before? --- I have seen nothing like this before.

And were you in possession or was there anything like it in your apartment on the 22nd of September when you were detained? --- No.

In the activities that you took part in Miss (10 Hogan, did you intend to overthrow the State? --- No I did not.

Did you by any of your activities intend to adversely affect the maintenance of law and order? --- No I did not.

NO FURTHER QUESTIONS.

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BARBARA HOGAN (still under oath)

CROSS-EXAMINED BY MR SWANEPOEL: Miss Hogan, while I have these books with me, have you read these book, the one "Revolutionary Thought in the 20th Century" edited by Ben Turok? -- I have read extracts from it, not in detail.

And the other one, "Southern Africa - The New Politics of Revolution," by Davidson, Slovo and Wilkinson? -- Extracts from it, but not the complete book.

COURT: What are the exhibit numbers?

MR SWANEPOEL: M'Lord, I do not think they have been handed (10) in. The one has been referred to in the cross-examination of Major Williamson. I do not think at this stage it is necessary to burden the court. Miss Hogan, during the time that you worked for the A.N.C. you worked with certain other people. -- With Marais Schoonand Judson Khutzwayo, yes.

You also worked with other people inside South Africa? -- Not in an A.N.C. capacity.

Not even Rob Adam? -- I would not call that working with him. It was merely asking him to send a document through.

On various occasions? -- On one-or two occasions, yes. (20)

How many occasions? -- I asked him to send - he asked me for one document and I sent two others through with him.

So all in all three documents through Mr Adam? -- That is right.

You asked for his assistance because he was also an A.N.C. member? -- Yes, I did.

And in that sense you worked with him or you co-operated with him? -- In that sense I did not work with him on A.N.C. instructions. It was a situation of crisis and I turned to him in that capacity. (30)

So you are saying in effect that you did not work with other ...

other A.N.C. members or active supporters in South Africa?

-- No.

Your contact with the A.N.C. was vertical and not horizontal?

-- Correct.

You also did not know whether other people in South Africa that you associated with were A.N.C. members or A.N.C. supporters?

-- That goes for just about everybody that I referred to, that I have spoken about, apart from one or two other people.

Can you tell the court who the exceptions are or were? --
The first person who was not an A.N.C. person, but who was (10)
working with the wife of the person that I was working under
instructions, that is Jeanette Curtis, the person that I am
referring to there is Allen Fine. I did not work with him
under any A.N.C. instructions, nor did he work under instruc-
tions from S.A.C.T.U. as I understood that he was working with,
with me. I was aware of his position in regards to S.A.C.T.U.

Now apart from Mr Fine, did you have any knowledge at any
time about whether people that you associated with were members
or active supporters of the A.N.C.? -- Two other people that I
referred to, one was Auret van Heerden. He said, Auret had (20)
already said to me that he wa loyal to the A.N.C. When I met
with the A.N.C. in Botswana in January 1981 they said that they
did not doubt that he was loyal, but that he was not, as far as
they were concerned, he was not a member of the A.N.C.

And the other person? -- The other person was Gavin Anderson,
who I have referred to on that list. Gavin had met with
S.A.C.T.U., not with the A.N.C., in about 1974 and I had been
under the impression, maybe mistakenly, that he was a member
of S.A.C.T.U. during that period, but a certain time in 1981
I was asked to give Gavin messages from Schoon. Therefore, I (30)
presumed that there was some kind of relationship that Gavin had,
but I ...

but I was not sure of the exact content. Again, what I am saying is that I never worked on instructions from the A.N.C. with Gavin or Auret van Heerden.

Apart from Fine, Anderson and van Heerden, you had no knowledge whether the persons that you associated with were either members or supporters of the A.N.C.? -- Would you define supporters for me?

Sympathizers or active supporters. -- I would say that there are people who are sympathizers of the A.N.C., certainly, but I would not say that there were people, other than who I have (10) referred to, that were active supporters of the A.N.C.

Now suppose you had been associating with Mr X, would you have known whether he was a member of the A.N.C. or not? -- No.

Why I am asking you is because yesterday you said Merle Favis is definitely not a member of the A.N.C. or S.A.C.T.U. How do you know that? -- Because I was informed that by the Schoons in Botswana.

When was this? -- That was at the time that she became the Labour Bulletin editor.

COURT: Who is the person you referred to? (20)

MR SWANEPOEL: Merle Favis. Why did you discuss her with the Schoons? -- Because when she - she had visited the Schoons with her boyfriend, Cedric de Beer, at one stage on a social visit and she had spoken about a thesis that she was involved in and Jeanette could not understand what the thesis was about and it was in that capacity that I spoke to her. Jeanette knew Merle from when Jeanette was still in South Africa.

You also said yesterday that Moosa, the one person referred to in Exhibit B.3, that he was not a member of the A.N.C. -- M'mmi. (30)

How do you know that? -- Well I am not saying I know for a fact ...

fact that he was not a member of the A.N.C., I was not told that by the A.N.C., but he never gave me any indication.

So as far as you know he may be a member? I am not suggesting it, I am just asking it. -- It could possibly be, but he never gave me any indication that way.

That is why I am asking you. If it is possible that the man is a member of the A.N.C. why did you yesterday say he is not a member of the A.N.C. when you were questioned by your Counsel? -- I said that because the people that I had normally worked with who were A.N.C. sympathizers, had somehow during (10) the period of time given me some kind of indication, whereas with Mr Moosa and these other people, they had never, ever given me any indication that they were.

But if that is so, how could you say emphatically under oath that he is not a member of the A.N.C.? You do not know that. -- As I say, I was saying that because I had not been given any indication from anywhere that he was a member of the A.N.C.

But then your evidence should have been I do not know, I have never been given any indication. -- Well I did not know, (20) but my feeling was that he was not.

Do you then agree with me you should rather have said: I have never been given any indication, I cannot say whether he is A.N.C. or not? -- Yes.

The same applies to Momoniat, to Monty Noorsam and to Aggett and to Floyd? -- No, Aggett is different, I was told definitely by the A.N.C. that he was not a member and he himself had actually told me that as well.

Why did you discuss Mr Aggett with the A.N.C.? -- Because as I said, I wrote a document outlining the history of my (30) relationship to the Fatti's and Moni's boycott. Niel Aggett was the ...

was the secretary of the Food and Canning Workers Union of the Transvaal branch and that was the Union that was involved in the dispute. At a certain time Niel, I think, did not know me very well and he, I think, began to resent my presence in that boycott and there was a little bit of aggression between us and tension between us and because I was not working under A.N.C. instructions Niel was not altogether in favour of the boycott and because I was not working under instructions for the A.N.C. I thought possibly that Niel might have been a person who was working for the A.N.C. and that the A.N.C. (10) itself was against the boycott and that I had made a mistake. So I asked them and they said no, he was not a member and they had had nothing to do with the boycott.

Did you also inquire from the A.N.C. whether other people that you knew or associated with were A.N.C. members? -- Not often. As I say, I did not see the A.N.C. all that often.

Liz Floyd, was she a member or not, of the A.N.C.? -- To my knowledge she was not.

But it is possible, you do not know? -- To my knowledge, as I say, she was not. (20)

So it is possible she was. She may be ... -- It could be, but to my knowledge not.

COURT: Is it likely if someone belongs to the A.N.C. and he does not know that the person who poses the question to him is also a member of the A.N.C. that he would confirm his membership of the A.N.C., or is it likely that he would deny it? -- I think it would depend on the instructions that that person had received from the A.N.C.

I am under the impression, possibly mistakenly, that it is not the habit, not to put it higher than that, for people to (30) admit to others that they are members of the A.N.C. -- Yes.

Even ...

Even to other members of the A.N.C -- Even to other members of the A.N.C.

It would be, if we could go a step further, if I understand the position correctly, contrary to the A.N.C.'s policy. -- Yes, except that in my experience on one occasion it was admitted. The person admitted to me that he was a member, not of the A.N.C. but of S.A.C.T.U., without my having a working relationship to that person. So I am not sure. As I say, I think it depends on the actual instructions given by the A.N.C.

MR SWANEPOEL: Now I want to come back to your associates. (10)

I will give you the names and will you then please tell the court whether any of those people were either A.N.C. members, active supporters of the A.N.C. or sympathizers of the A.N.C. -- Could you separate those sympathizers. I think to put under one category someone who is an active worker for the A.N.C. as a sympathizer and at the same time say that someone who has sympathy for what that organization is trying to achieve is incorrect. I think they need to be separated out.

Well you can in your reply. -- Yes.

Firstly, Cedric de Beer, what is he? -- Cedric de Beer is (20) not an active member, to my knowledge, and he is a person who I would say has feelings of sympathy.

So he would be a sympathizer of the A.N.C.? -- Yes, but not in the activist sense.

Although he sends reports he is not a sympathizer in the active sense? -- A passive person who, for certain reasons, believes in the Freedom Charter.

Now you say a man who sends reports to the A.N.C., like Mr de Beer did, is not a supporter. What then is a supporter? -- Mr de Beer sent that one report with much reluctance and (30) it was a function I think also of his personal relationship to

Mr Schoon ...

Mr Schoon that he sent that report. He said to me later on that he would not ever do something like that again.

Is it correct he sent his report in code? -- No, as far as I know he did not.

Did he know a code, could he use a code? -- I do not know.

Did you know what the report that he was to send to the A.N.C. related to? -- Merely a report on his work in E.D.A.

Did he tell you or how do you know that? -- He said to me he was in a quandry, a tremendous quandry, he said to me: Marais has asked me to give me a report on the work that I am doing (10) in the A.N.C. and I am worried about it," and on occasions he refused to send that report. He hithered and hovered the whole time.

Did he say to you Marais Schoon has requested me to send him a report about my work in E.D.A.? -- He said he asked me to do it.

About my work in E.D.A.? -- Yes.

And E.D.A. stands for the Environmental Development Agency? -- That is correct.

Is that linked to R.C.D.T. that you worked for? -- No. (20) There are E.D.A. members who sit on the R.C.D.T. executive, but they are two autonomous bodies. They share facilities at times and they help one another out, but they are actually two different bodies.

Now the request from Schoon to Cedric de Beer, Floyd's report, did you convey that request to Cedric de Beer? -- No.

Do you know how he got the messages or requests? -- No, I do not know.

Did you at any stage deliver anything from the A.N.C. to Mr de Beer? -- I delivered two messages to Mr de Beer. (30)

Relating to? -- I do not know.

Was it ...

Was it written messages? -- The one message appeared to me to be in code because it was folded up and I could not see writing, I could just see numerals. It was a tiny little thing.

And the other one? -- I'm not sure about the other one.

Was it a letter or what was it? -- It was something folded up small again.

Who did you get it from? -- I got it from Schoon.

So Mr de Beer must have got more than two messages from Schoon, from the A.N.C.? -- I do not know.

How many are you aware of that he got from the A.N.C.? (10)
-- The two that I gave him.

And did that relate to the request for a report on E.D.A.?
-- I presume they did, because he asked me, he then presented the problem to me.

But you know that he was requested to report on his work in E.D.A.? -- Yes.

You also know he got only two messages? -- No, I am not saying he only got two messages. I am saying I only know of two messages that he got.

Was the request to submit a report on E.D.A. then separate (20) from the messages that you delivered to him? -- I have no idea, he never indicated to me how he got that message.

How would you - in what category would you put Gavin Anderson?
-- Gavin Anderson I would put in the same kind of category as Cedric de Beer.

A supporter of the A.N.C.? -- Yes.

Auret van Heerden? -- Auret van Heerden, I would say that he was not a member of the A.N.C., I would say that he was a supporter.

Fink Hayson? -- Fink Hayson I have no knowledge. To my (30) knowledge he was not a member of the A.N.C.

Or even ...

Or even a sympathizer? -- I did not even know that.

And Allen Fine? -- Allen Fine, I knew him to be working with Jeanette Schoon, a member of S.A.C.T.U.

So as far as you were concerned he was not even a sympathizer of the A.N.C.? -- We never discussed A.N.C. as such. As I say, we never worked in any relationship together in an A.N.C. capacity.

And Barbara Klugman? -- Barbara Klugman I would not call a sympathizer of the A.N.C. I would say that she was a person who was a politically active person, but I would not call (10) her a sympathizer.

I want to refer to your statement that you made in this court, Exhibit A, where you say under paragraph 11 at page 10: "Subject to the qualifications referred to above that the accused did not at any time associate herself with any violence or the employment of any means which envisaged violence or which envisaged the crippling or prejudicing of industries or undertakings generally in the Republic, the accused admits that she worked with certain persons in the Republic. Save for Robert Adam, whom she knew to be a member of the A.N.C., she does (20) not know whether the persons with whom she worked were members, active supporters or sympathizers." Is that correct? -- M'mm.

Your answer is yes? -- That is the admission that I handed in, yes.

Does that imply that you never worked with Auret van Heerden? -- No, what I was implying there was I was saying that when in my instructions from the A.N.C. and work which I saw as specifically A.N.C. work I did not work with people in that capacity in an A.N.C. related activity on those specific instructions that I got from the A.N.C. (30)

But you did work with Auret van Heerden? -- I worked with Auret

Auret van Heerden on many things that were not instructions from the A.N.C. Moreover, I might add that for the majority of the time that I worked with Auret van Heerden I had no knowledge of what his position in the A.N.C. actually was until I met with the Schoons in 1981.

Did you work with Cedric de Beer? -- Yes, but once again I would say I did not work with Cedric de Beer on any instructions from the A.N.C. or on any work which the A.N.C. instructed me to do.

Did you work with Gavin Anderson? -- I worked with Gavin (20) Anderson on various things, but once again, outside of A.N.C. instructions and not in any capacity as an A.N.C. member.

Now this document B.3, that is starting with Close Comrades, do you agree with me that it is in effect a list of names? -- Yes, it is a list of names.

And the names are divided into three distinct groups? -- Yes.

Why did you put the names in three different groups? -- It related to two different kinds of intensity in which I worked with people, in different scope.

The first group would be Cedric de Beer, Gavin Anderson, (20) Auret van Heerden, Fink Hayson and Allen Fine? -- Could I have a look at the document please? Yes. No, sorry, the first group, as you can see, consists of three people which I have bracketed.

You still say there were only three different groupings of people in this list? -- I say that A,B and C represent three different groupings and I would say that there is a sub-division within those three different groups.

Where does that appear? -- As I say, the first three is a sub-grouping. (30)

And then? Where is the indication that the next name is also ...

also under a different sub-grouping? -- That it is not included in the brackets.

So you have a first grouping of de Beer, Anderson and van Heerden? -- That is correct.

Then a second grouping, this 'B', advisory or reference people? -- Yes.

A third grouping is 'C', people who regard me as their consultant. -- That is right.

Then you have a fourth one, Fink Hayson and Allen Fine? -- No, that falls - that sub-division was in the first grouping. (10)

So it falls under the first grouping? -- It falls, but it is a sub-division, yes.

Now what is the first grouping? -- Those are people who I have known for a long, long time, people that I have worked with in the Trade Union Movement, people that I have lived with in houses, people who I have had a lot - I have spent a lot of time with. As a result of that it is those people who that I have, over a period of time, learned to trust. I appreciated their insight into things and they are people that I used to turn to most when I needed advice and guidance on my work. (20)

Also on your work for the A.N.C.? -- No, not on my work on the A.N.C. As I have said, my work for the A.N.C. was separate.

Yet at some stage you must have told them about your A.N.C. commitment? -- I told them, I told Auret van Heerden only in June 1981 that I had been a member of the A.N.C. Cedric de Beer, as far as I know, is still confused and Gavin Anderson did not know - he knew that I had met with the A.N.C. in January 1981 and had received messages from Schoon via me, but I had ... (30)

had never said in many words to him that I was a member.

Why do you say that those three persons, de Beer, Anderson and van Heerden, "know that I am working under discipline?"

-- Because, as I say, I had said to van Heerden, I had said to de Beer and I had said to Anderson that I was going to Botswana to work - to discuss through the issues that had arisen. As a result of that they suspected that I had further contact with the A.N.C., which was confirmed for them by the fact that I sometimes told them things that I had been told by the A.N.C., but I never worked with any of them under A.N.C. instructions, (10) nor was I ever given instructions from them.

Do you know as a fact that they were aware of your links with the A.N.C.? -- They were aware after January 1981 that I had tried to solve a problem with A.N.C. people, that I was still trying to continue to resolve that problem, but whether that constituted the fact that I was an A.N.C. member was unknown to them until I told Auret van Heerden in about June, middle July, that I had been a member of the A.N.C.

And the problem that you were trying to sort out was about the spy rumours about Auret van Heerden? -- Yes, it was a (20) related rumour to that, yes.

But it then seems to me that before you told van Heerden that you were a member of the A.N.C., they could not have known that you were a member? -- No.

They may have suspected something, but they could never...
-- No.

And up to today, Anderson and de Beer would not know that you are a member, except if they read in the papers now what you have admitted here in court? -- They would suspect that I was a member, very definitely. (30)

Now why do you then say in Exhibit B.3, that is the letter that you ...

that you sent out meant for the A.N.C., "all three know that I am under discipline?" -- Because as I say, they knew that I was corresponding with the A.N.C. and I think any person who is aware of a person that is corresponding with the A.N.C. would have sufficient right to assume that I was working with the A.N.C.

That may be so. Why did you not then say: "All three suspect that I am working under discipline?" Why do you say this as a fact: "All three know?" -- Because firstly I told Auret van Heerden that I knew that I was working for the A.N.C. That was, as I say, in July 81. I had delivered messages from Schoon to both de Beer and to Anderson and on those grounds they would have strong ideas that I would be a member of the A.N.C. (10)

But they would not know it. -- No, I mean apart from - I mean how would they get to know about it, go and talk to the A.N.C. about it?

Exactly. Now if they were not aware, if they did not know, why did you say in the document they knew? That is my question. -- I am saying that they had good grounds on which I could say that they knew. They had good reasons to believe, but I am not saying that they could have got - that they went to the A.N.C. and said look, is Barbara a member of the A.N.C., apart from van Heerden. (20)

Let us make it easier, are you prepared to say today under oath all three of those persons knew I was working under discipline? I am using your words. Are you prepared to say that today? "All three of them knew that I was working under discipline?" Do you say that or not? -- I would say that they had good reasons for believing ... (30)

No, that is not my question. Are you prepared to say under oath ...

oath "All three knew that I was working under discipline?"

-- I would be prepared to say that they had good reasons to believe that I was working under discipline, far more so than anybody else.

So you are not prepared to say they knew? -- I cannot say that they knew, apart from Auret van Heerden.

Now I am asking you if you cannot say that, why did you say it to the A.N.C.? -- Because the A.N.C. would understand the grounds on which I would make a statement like that. The A.N.C. themselves would know themselves, being in control of (10) things, whether van Heerden, Anderson or them had consulted them as to whether I was under discipline or not.

Why did you have to give the A.N.C. information about whether they know that you are under discipline or not? -- Because that is what the A.N.C. requested.

What did the A.N.C. request? -- They wanted to know people who I worked with generally.

Were you requested to give them names of people that you worked with in order to further A.N.C. aims ... -- No.

.. or just other persons? -- I was requested just to give (20) a list of names of people that I worked with politically generally.

Were you also requested to inform the A.N.C. whether those people knew that you were a member of the A.N.C. or not? -- No, I was not requested that at all.

Why did you tell the A.N.C. that they knew that you were under discipline? Why did you include this in Exhibit B.3? -- Because as I was told they were wanting to do a security check and I thought that that would be part of the thing, that they were to check on it themselves. (30)

So you thought that by giving this information to the A.N.C.

it would ...

it would be easier for them to check on the three persons? -- Yes, precisely, because there had been a confusion about the status of Mr van Heerden.

And you conveyed the impression to the A.N.C. that you trusted those three persons because they knew you were under discipline? -- No, not because they knew that I was under discipline. They only knew that I was under discipline or had suspicions or reasons to believe that I was under discipline only from Feb?January 1981. I had been working with many of those people for years before that. (10)

COURT ADJOURNS FOR TEA: ON RESUMPTION AT 11.30 A.M..

CROSS-EXAMINED BY MR SWANEPOEL (cont): Miss Hogan, in Exhibit B.3 that we have been referring to now before the adjournment, you say Gavin and Auret are under discipline. -- M'mm.

Can you please explain why you said that? -- I said that, let me refer to Auret firstly. When I had gone to Botswana I had been told by - it was in connection with the rumours about Mr van Heerden - and I had been told by Botswana that they no longer believed that Mr van Heerden was a spy. I had, when I had spoken to Auret about the rumours that were going (20) around that he was a spy, he said to me: "But I can't be, because I am A.N.C." So I had presumed that he was under discipline. However, Botswana believed that what he meant by saying "I am A.N.C." was that he was supportive of the A.N.C., but they had had no evidence as such that he was an actual member of the A.N.C. Now these rumours had spread far and wide and I was anxious that these rumours do not do damage to Mr van Heerden because he is someone I respect a lot. When I wrote this document I still had not got any indication from Mr Schoon that Mr van Heerden was definitely a member (30) of the A.N.C. Why I wrote that he was a member under discipline was that ...

was that I knew that they were doing a security check on the people on this list and I knew that these rumours had gone far and wide and I wanted to pinpoint and say that he was under discipline as a token of what I believed, that he was not a spy, and that they themselves could then go and check in their lists themselves. It was not anything that Mr van Heerden himself came to me and said I am working through Swaziland or Lesotho or something like that. As I say, it was on my best knowledge that I said that.

Can you say today in this court Auret is under discipline?(10)

-- No, I cannot say that.

You say that Auret came to you and said "I am A.N.C." -- Yes.

The clear implication, I am a member of the A.N.C.? -- At the time I thought that it was a clear indication, but when I discussed this matter through with Mr Schoon he said that possibly Auret's response had been a response of hurt that people could say that he was a spy. I mean it is totally ludicrous if one knew Mr Auret it would be a ridiculous thing to say and that his response would be almost an over-emphasis in saying but I am A.N.C., I am not a spy, you know, how can (20) the A.N.C. say that I am a spy and that I am pro the A.N.C. It was that kind of response that I understood it to be.

So from Auret himself you got the information or the impression that he was a member of the A.N.C.? -- From himself, but not necessarily that - yes, at the time I thought that he was a member. Later on I was not sure exactly of the status.

Approximately when was it that he said to you "I am A.N.C.?"

-- Well January 1981.

And he is one of the persons that you worked with, you worked together with? -- Yes. Not intensively in 1981, as I (30) was ill most of the time in 1981.

And then ...

And then about Gavin Anderson, why did you say that Gavin is under discipline? -- Once again, it was not on the A.N.C. telling me that Gavin was under discipline. I had known that Gavin had met with S.A.C.T.U. in 1974 in Botswana whilst he was a trade unionist. I had been asked to give two or three messages to Mr Anderson between January 81 and about June 81. There again, I connected the two. Mr Anderson had never said to me that he was an A.N.C. member, but I put two and two together and I presumed, inasmuch as I presumed that Mr van Heerden was an A.N.C. member. (10)

So you would not be prepared to say today, Gavin Anderson is under discipline? -- I would not be prepared to say that now.

You say Cedric de Beer is not so, but does work when requested. -- M'mm.

What did you imply by "does work when requested?" -- That was in reference to that document about his work in E.D.A. Cedric had always said to me he could not be a member of the A.N.C. so I knew for a fact that he was not a member of the A.N.C. but I knew at the same time that he had accented to sending a report to Mr Schoon. (20)

What was the position of Miss Klugman, Barbara Klugman?
-- In relation to what?

Was she a member, an active supporter or under discipline?
-- Not under discipline as far as I know. Not an active member or supporter as far as I know.

What did she know about your activities? -- She knew - what activities?

In relation to the A.N.C. -- Those activities, you are referring to the unemployment activities and the labour ...

No, you worked for the A.N.C., the fact that you worked (30)
for the ... -- My specific instructions on the A.N.C., she was
aware ...

aware that I was doing work. She had no idea that it was in any way connected to the A.N.C.

So she had no idea that you worked for the A.N.C. or that you were under discipline, as it is called? -- Now what happened was she was my flat mate, someone who I am very close to. When I was told to leave the country she was one person who I had to tell that I was leaving the country, because she would suddenly find herself without a flat mate and someone disappeared basically and I did not want to put her in that predicament. So I said to her round about June, when I was going to leave the (10) country, I said: "Ros, I have to leave, the people outside have called me." I never gave her any further indication that I was a member or any of those kinds of things.

So you would not say that Miss Klugman either knew that you were under discipline or knew the full details of your underground work? -- Are you referring to the quote below there?

Yes. -- That quote says "who has some idea that I am under discipline." Miss Klugman would have very - if she knew that I was leaving the country and I said that people outside - she would have a strong suspicion, I mean anyone would, that I (20) had some relationship to the A.N.C.

But you did not know that she had this suspicion? -- I did not know that she had the suspicion, do you mean she never voiced the suspicion to me?

No, I am asking, did you know that she had a suspicion? -- Let me think. No, she never said to me in as many words: "Barbara, I know that you are a member of the A.N.C.," but the fact that she did not go and distribute it, spread it around my friends, etc., led me to believe that she felt it to be a secret and confidential thing, and in that sense I would say (30) that she would know that I felt that she had some idea.

And that ...

And that is why you put an asterisk next to her name?

-- That is correct.

And the asterisk indicates, it refers to people who have either some idea that I am under discipline or who know the full details of my underground. -- Ja.

Now you say in B.3, as far as Allen Fine is concerned, "worked closely with him." -- Yes.

What did you imply by that? -- What I implied with Allen Fine, when I meant work closely with him is that Allen and I worked for a long time before I think either of us were members of S.A.C.T.U. or A.N.C. together closely in the Industrial Aid Society. We continued that kind of work in labour after I had joined, I do not know when Allen ever joined S.A.C.T.U., and in that sense we used to discuss boycotts, we used to work together on boycotts, we used to work together on - he asked me to give a talk for the Union that he was working with. I would consult him, he was the one person that I did consult, beside Rob Adam, about my position as regards the forward area and in that sense I think we both had mutual problems. He with Jeanette Schoon with S.A.C.T.U. and I with the A.N.C. and I was far more open with Allen Fine than anybody else about the problems that I was experiencing. However, there was one thing that Allen Fine did not know, and Allen Fine never knew what instructions the A.N.C. had ever given me as regards the work that I did there, neither did I know about his work. So the work that we did together was general work that followed on the kind of relationship that we had had in our earlier years. (10) (20)

And you say that he works under discipline, what did you mean by that? -- That he was working with Jeanette Schoon sending reports to Jeanette Schoon as I have discovered. (30)

Under discipline of who or what? -- S.A.C.T.U.

Now you ...

Now you were aware that he worked for S.A.C.T.U. and he was aware you worked for the A.N.C.? -- M'mm.

You were also, I suppose, aware of the alliance between S.A.C.T.U. and the A.N.C.? -- Yes, with all its ambiguities.

Further proof of the alliance was to be found in the fact that Marius Schoon worked for the A.N.C. and his wife worked for S.A.C.T.U.? -- I can hardly say that a marriage is proof of an alliance between S.A.C.T.U. and the A.N.C.

I am not alleging that, I am alleging that man and wife can work for two different organizations. -- Yes, but you (10)
are alleging that further proof of the alliance was the fact that they were man and wife, which I am saying you cannot allege.

The fact that man and wife who lives under the same roof work for different organizations means that there should be an alliance and not a conflict of interests. -- I know people, I know one woman who is a member of a Black Trade Union that is totally hostile to T.U.C.S.A. and her husband is a member of T.U.C.S.A. and those are two conflicting public roles and yet they manage to reconcile those interests. (20)

Very well then. What are the attitudes of Schoon and his wife regarding the A.N.C. and S.A.C.T.U.? -- In what aspects of A.N.C. and S.A.C.T.U.?

Do they support it or not? -- Well obviously they support - Jeanette supports S.A.C.T.U. and Marais A.N.C., but I never discussed those kinds of things with them in detail.

Does Jeanette approve of her husband's work for the A.N.C.? -- She never said anything of that nature to me.

Does she approve of the A.N.C.? -- She never spoke to me about A.N.C. I never worked with Jeanette Schoon. (30)

So you never discussed A.N.C. with her? -- I discussed, we discussed ...

discussed various aspects of the A.N.C. and things like that, but Jeanette never sat down and said I approve entirely of Marais' activities. There were often differences of opinion there.

She knew you were working for A.N.C.? -- She might have, I do not know. I cannot say that for definite.

Did you not tell her? -- No.

Why did you not tell her? -- Marais suggested that Allen and I work together and I would have inferred then that she would have been told by Marais, but she did not come to me (10) and say look, I have said - I have been told by Marais that you are working for the A.N.C. She just presumed it, I would imagine, because I was working with Marais, but I cannot say in black and white that she knew.

The question is why did you not tell her? -- Why should I tell her?

She was a good friend of yours, isn't that correct, for years? -- I have many, many good friends that I have never told that I am a member of the A.N.C.

So she was not in a sort of special relation to you? -- (20) Are you saying that because someone is in a special relationship to me I tell them that I am a member of the A.N.C.?

I am asking you was she in a special relation to you or not? -- She was a very good friend of mine.

She worked for an organization that is in exile? -- Yes, that is correct.

She worked for an organization that has in the past aligned itself with the A.N.C.? -- She works for an organization that is legal.

That is not my question. Please answer my question. (30)
-- Yes, and has certain kinds of alignments, not a fully
committed ...

committed alignment.

The question is in the past, it has aligned itself with the A.N.C.? -- On certain occasions, yes.

There would not have been any danger to yourself if you had told her that you were working for the A.N.C.? -- Of course there would not have been any danger, but I had received specific instructions from the A.N.C. not to go and broadcast my membership. I do not want to belabour this point. I am not saying that I wilfully withhold information from Jeanette Curtis that I was working for the A.N.C. I am just saying (10) that I cannot recall an occasion when I went to Jeanette Curtis and said: "Jeanette, I am working for the A.N.C." All I can say is that Jeanette must obviously have presumed that I was working with the A.N.C. because she saw me working a lot with Mr Schoon and at one stage had suggested that I work with Allen. Whether she thought that I should then be recruited into S.A.C.T.U. or whether she was making that statement whether I was a member of the A.N.C. or not I cannot say.

You were prepared to work with another S.A.C.T.U. member, Allen Fine ... -- I was not prepared to work with another (20) S.A.C.T.U. member.

And you did not work with him? -- I say I worked with Allen Fine not on A.N.C. instructions and to my knowledge he never worked with me on S.A.C.T.U. instructions. I am saying that in regard to specific work that I was delegated by the A.N.C. I never involved him in my activities. However, we both found ourselves in a similar position, lack of communications and uncertainty as to what we should be doing and in that sense I can concede to you that possibly we did have some kind of working relationship, but that is not what I was necessa- (30) rily referring to as the sum total of my working relationship with ...

with him when I said we work closely together. I am saying there are other areas of work that we worked together that was unrelated to anything the A.N.C. or S.A.C.T.U. inspired.

Allen Fine was in the same position as Jeanette Curtis, as far as you were concerned. Both were S.A.C.T.U. members. Isn't that right? -- Yes, I mean they were both S.A.C.T.U. members.

Fine knew you were A.N.C.? -- I cannot say for definite that Fine knew that I was from the A.N.C. As I say, he had reasonable grounds to presume that I was a member of the A.N.C. Whether it was suggested that he work with me, that suggestion was not taken up so he could have interpreted either way. However, later on when we discussed our mutual relationship, he then became, I think, more convinced that I was a member of the A.N.C., but he did not know my A.N.C. activity.

Today you can say that he knew that you were a member of the A.N.C.? -- Allen - yes, I would say - yes, I would say that.

B.3 starts with a title, "Close Comrades." That is underlined. -- M'mm.

What does that refer to, does it refer to all the names (20) on the list or only to certain names? -- It refers to all the names on the list.

Why do you call these people comrades? -- Because I feel a very close friendship with those people.

Please tell the court what the nature of your close friendship with Fink Hayson is? -- I had had a friendship with Fink Hayson prior to any working relationship with him.

Was it a close friendship? -- It was a very close friendship, yes. But I am not saying that "Close Comrades" just refers to someone that I feel especially warm towards, I am saying that (30) it refers to someone that I respect as well. Someone whose political ...

political opinion I respect.

What kind of work had you been doing with Mr Hayson?

-- We had a discussion group, that is the only work I did do, we had a labour discussion group. There was a student newspaper that used to report extensively on labour matters and it seemed to have sources only within unions in the Eastern Cape and many of the unions had raised objections to the fact that they only seemed to cover Eastern Cape Unions. Among the unions that raised objections was the General Workers' Union in the Western Cape. So a group of people got together to discuss this position of the labour policy of S.A.S.P.U., that is the student newspaper, as requested by the editors of that newspaper. We were called in a capacity of people who had some knowledge of labour, who were involved in labour, and Mr Hayson was involved, had been involved as a lawyer and very interested in labour.

The title, as I have said, is "Close Comrades," and next to that in brackets appears "as regards above and underground." That implies that some of the people on those lists were comrades as regards underground work? -- Yes, with the qualifications that I have already said. (20)

The qualifications that are not set out in the document itself? -- No, but that were set out in the previous document.

What is underground work? -- That is relationship to the A.N.C.

That is work for the A.N.C. inside South Africa? -- Yes. Not - yes, ja.

Under 'C', paragraph 'C', you refer to "people who regard me as their consultant and whom I work with closely in that capacity, (potential leadership)." Why did you include the words "potential leadership?" -- Because these were people who (30)

I felt ...

I felt were very qualitative people and they would not be people - I did not work with them extensively on many projects, apart from one or two - and that was the reason that I was working with them, that they were people who I could feel an equality with, because they were very powerful people.

But why did you say it on this document? Why did you indicate that they are potential leadership? Had you in mind that they may be recruited for the A.N.C.? -- No, as I have said in my document and as I have said constantly all the time in court, I did not see my role as recruiting people or indicating people to be recruited into the A.N.C.

Just why then did you include the words "potential leadership?" -- As I said, these people, most of these people are younger than me. I wanted to indicate the nature of my relationship with them, that I felt that they were very fine people and that it would be a relationship more of equality. The A.N.C. would have been surprised, I think, of my working with people who were much younger than me.

How would the A.N.C. know their ages? It is not on this document. -- The A.N.C. - I am not here to say how the A.N.C. (20) has its information.

You say here "people who regard me as a consultant and whom I work with closely in that capacity." So you give the A.N.C. an indication of what these people are. -- M'mm.

Why do you then add "they are potential leadership?" -- As I have said.

Why would that be of interest to the A.N.C., that they are potential leadership? -- Because they wanted to know the nature of my relationship to these people.

Why would it interest - why would their potential interest (30) the A.N.C.? -- I am not necessarily saying their potential

interested ...

interested the A.N.C. I am using it in an explanatory fashion, not in a fashion, an indicative fashion.

Now you are saying when you use the word comrade it does not necessarily mean another A.N.C. member or active supporter?

-- No.

I want to refer you to Exhibit B.2, the first page. -- Could I have a copy of it?

I am sorry, I have not got one, but I will read it out to you. Starting at page 1, the first paragraph: "I am submitting this report to try to draw attention to the problems arising in internal political work as regards the letter's relationship with the external wing of the movement in the forward areas." Now the movement, do you agree with me, is the A.N.C.? -- Correct.

"In doing so I will be drawing on my experience only and those of one or two comrades." What did you mean by comrades? -- As I have said before in the court, people that I work with closely, people that I have respect for. In this sense I was referring comrade to being a person who had some knowledge of how the A.N.C. was working.

(20)

COURT ADJOURNS FOR LUNCH:

ON RESUMPTION AT 10.00 A.M. ON 26/8/82

MISS BARBARA ANNE HOGAN d.s.s.

CROSS-EXAMINED BY MR SWANEPOEL (CONT): Miss Hogan, you have yesterday said that the word comrade means a close friend? -- More than that.

Well that is my note, what is it then? -- A comrade means someone who is a person who I have a lot of respect for, someone who shares, to a certain extent, my political views insofar as I am opposed to apartheid and the cheap exploitation of black labour. Someone who I have worked with in various (10) capacities and grown to respect. And there is, of course, as you say, a personal element involved in it.

COURT: A personal? -- A personal friendship.

MR SWANEPOEL: Rob Adam referred to you as a comrade. -- Yes.

Would that imply that he worked with you? -- As I understand it in people who work within the A.N.C. they would call themselves comrades in the forward areas, and I would imagine that Rob Adam is using it in that sense.

Would you agree with, I think what Major Williamson said, that it is common that in the A.N.C. people call each other (20) comrade? -- Common, yes. That is as far as my experience has allowed.

Now will you please look at - I am putting it to you, I think that is where we stopped yesterday - Exhibit B.2. -- Could I have a copy of it please?

A document entitled "Problems arising in Internal Political work." Starting with the first sentence, "I am submitting this report to try to draw attention to the problems arising in internal political work as regards the latter's relationship with the external wing of the movement in the forward areas." I (30) asked you yesterday is the movement, is that the A.N.C.? -- Yes.

What was ...

What was the purpose of this document? -- The purpose of this document was to provide the people that I was working with and the people who Rob Adam was working with, as requested by them, with some idea of the problems that I was experiencing in internal political work in my relationship to the forward areas.

Was it also meant to inform the A.N.C. of the nature of your activities? -- No. As far as I would know they would be aware of my A.N.C. activities.

The next sentence reads: "In doing so I will be drawing (10)
on my experience only and those of one or two comrades. I realise that this is limited in that it does not represent the general experience of other comrades working in the same way as am I." What did you imply by the words "comrades?" Take the first one: "I will be drawing on my experience only and those of one or two comrades." -- In the manner in which I first indicated to you.

Now on whose experience, on whose comrades' experience did you rely? -- The person that I was primarily thinking of at that time was Allen Fine. (20)

But he was not working for the same organization as you? -- Yes, I discovered that subsequently.

So at the time when you wrote this document, you did not know that he was a member of S.A.C.T.U.? -- I had my suspicions, I was not sure.

At that stage, when you wrote B.2, you did not know that he was under discipline? -- No, at that stage I knew he was under discipline.

Of S.A.C.T.U. or A.N.C.? -- I was not sure. I suspected S.A.C.T.U. or it could be the A.N.C. He never informed me. (30)

Now you say one or two comrades. -- That is right.

Did you ...

Did you have more than one in mind? -- No, I was thinking primarily of Allen Fine.

Why did you then say or two comrades? -- It was a loose statement.

Now you say: "I realise that this is limited in that it does not represent the general experience of other comrades working in the same way as am I." Which other comrades were working in the same way as you? -- I have no idea.

But you were aware that there were other comrades working in the same way as you? -- I had been informed as such by (10) Mr Schoon.

You knew they had other people in South Africa engaged in similar activities? -- Yes, Mr Schoon had informed me as such.

At the end of that paragraph you say, the last sentence: "I am speaking as a comrade and not as a dissident." -- Yes.

What do you mean by comrade there? -- I mean in the first sense in which I indicated.

That the A.N.C. has respect for you, that you share political views and that you work with the A.N.C. and that there is a basis of friendship? -- Yes. (20)

Please turn to page 3, I think the bottom of page 2. -- The bottom of page 2?

Yes. "I regularly consult with a number of trusted comrades who vary depending on the specific issue at hand." -- I'm sorry, where is that?

The last word on page 2, "I regularly..." -- Yes, yes.

... over to page 3, "I regularly consult with a number of trusted comrades." Who were these comrades? -- As I say, they vary depending on the specific issues at hand. At times it would be someone like Auret van Heerden or Cedric de Beer or (30) maybe at another time be someone like Liz Floyd.

Anderson ...

Anderson? -- Gavin it would be at another time.

Hayson, Fink Hayson? -- Hayson in a limited extent because I was not working with him for a long time.

Aggett? -- Yes.

Klugman? -- Yes.

You call them trusted comrades? -- Yes.

Why trusted? -- Because they had never done anything which would lead me to believe that they were unreliable, irresponsible, did not have insight into things.

By calling them comrades you imply that those people (10)
had similar political views as you had? -- Insofar as I qualified that, insofar as they are opposed to apartheid and cheap exploitation of labour.

And they are also persons that you worked with? -- Yes.

And they were friends of yours? -- That is right.

If you look towards the middle of that page, page 3, there is a sentence starting: "My communication system did not allow for extensive discussions and so I continued to work in the way that I saw fit until I could meet again with comrades in the forward area about 6 months later." -- Yes. (20)

Who were these comrades that you met or that you refer to here? -- Marais Schoon.

And who else? -- That is all.

But comrades is in plural here, "could meet again with comrades." -- It could - oh, it is Stephen as well, sorry.

So when you drew up this document you intended meeting Stephen in 6 months time? -- No. That is historical, I am referring to the history of my relationship to the A.N.C.

COURT: Who was Stephen again? -- Stephen was an Indian man who was a friend of Marais Schoon. (30)

But you only know him by the name of Stephen? -- That is right.

MR SWANEPOEL: Was he a member of the A.N.C.? -- I do not know.

Do you know whether he was a member of S.A.C.T.U.? -- I do not know. I knew that he was a fellow worker with Mr Schoon, but Mr Schoon never indicated to me either way so I could not say for definite.

When was your meeting with this Mr Stephen? -- In the end of 1979, the beginning of 1980, the same visit.

You drew up this document in 1981? -- Correct.

When you drew up this document did you foresee the possibility that you would or would have to meet Stephen again? (10)
-- It did not cross my mind.

Why did the thought of Stephen cross your mind when you drew up this document? Why did you think ... -- Because I had discussed with him and Mr Schoon the unemployment work.

Why did you in 1981, more than a year after you met him, think of Stephen? -- Because he was a person that I had met with Mr Schoon.

The only person that you had met with Mr Schoon? -- At what time?

Any time before you wrote this document. -- Before I (20)
wrote it, no, I had met with other people.

Yes. Now why did you think of Stephen? Why not of Mac Maharaj or Judson Khutzwayo or of Reg September or someone else? -- Because I was referring to Botswana, in the first place. Mac Maharaj I had never met in Botswana. Reg September was a person that I did not think that I would ever meet with regularly again so I was not thinking of bearing him in mind.

Was Stephen based in Botswana? -- As far as I understood. Marais used to tease him about his lack of domesticity so I presumed that he stayed there. (30)

You were not referring to Jeanette Schoon? -- No, I was not referring ...

referring to Jeanette Schoon.

Why not? -- Because I never worked with her politically in that sense.

Was she not a comrade of yours? -- She was a comrade of mine, but she was not a comrade that I worked with in the same capacity as Marais Schoon and Stephen.

Will you turn to page 4, towards the end of the paragraph starting with "my loose communication system was now altered. I operated" - it may not be this one - the last sentence there. "I sent a report through two days later via another comrade (10) system at the end of June." Who was that comrade? -- Allen Fine.

COURT: Where is that?

MR SWANEPOEL: The last - page 4.

COURT: Yes, I have got it. -- That was Allen Fine.

MR SWANEPOEL: Did he also have a communication system with S.A.C.T.U.? -- Yes.

Or a similar system as you had with the A.N.C.? -- He never indicated to me that he had a DLB system. He just said that he was in communication with Botswana sending documents rolled (20) up in a magazine.

Now at this stage you knew that he was under discipline of S.A.C.T.U.? -- I knew that he was in some form of discipline relationship with a forward area, whether it was S.A.C.T.U. or the A.N.C. I was not sure at this stage even.

So without being sure whether he worked for the A.N.C. or S.A.C.T.U. you were prepared to trust him with a communication that had to be sent via a communication system? -- Yes, I was prepared to trust him because it was in code and he would not have been able to decipher it, nor anyone that he was working (30) with, besides Mr Schoon.

But you ...

But you trusted him because you knew that even if he worked for S.A.C.T.U. he would be loyal to the A.N.C.?

-- He would be loyal to me.

And to the A.N.C.? -- I do not know, I do not know his feelings, but he would be loyal to me. He was sympathetic to my position.

Please turn to page 5, the second paragraph under the heading "First period." (??) "On the whole I think that it can be said that my relationship to outside was based upon a formal commitment to the A.N.C., but that in actual practice I (10) worked fairly independently of outside relying for the bulk of my political guidance and activity on comrades loyal to the A.N.C. inside South Africa, some of whom were formally linked to the movement and others not." Who are you referring to here? -- May I try and make just one explanatory point before I go on here. This document was a retrospective document, it was written in August 1981. When I am referring to people who were formally linked to the movement, at the time that I was working with them, apart from a short period in 1981, I did not know that they were formally linked to the A.N.C. (20) in any way. The people I am referring to here would be, once again I would say they vary depending on the issue at hand, would be someone like Cedric de Beer, Gavin Anderson, Auret van Heerden, sometimes Maurice Smithers and sometimes Allen Fine as well.

Anyone else? -- Not that I would say that I worked - no, on and off maybe someone else, but I would say those were the main people that I am referring to.

And the others that you work with on and off that you may have referred to when you use the words here? -- I would say (30) I would restrict it to those people that I have referred to.

Now which ...

Now which of these people were formally linked to the movement, to the A.N.C.? -- All right, I would say that Gavin Anderson, Auret van Heerden and Allen Fine. Now of those three I would like to say that, as you pointed out yesterday, I cannot say for definite, with absolute assurance, that either Gavin Anderson or Auret van Heerden were members of the A.N.C. I had reasons to believing that, but I cannot say for absolute - I cannot say definitely.

What about Allen Fine? -- Allen Fine I could say with much more confidence that he was formally linked. (10)

Was he formally linked to the movement? -- He was formally linked to, as I say, a forward area under discipline either of S.A.C.T.U. or the A.N.C.

No, but I am asking you about what is stated in this document. People that were formally linked to the movement, and you have already said the movement is the A.N.C. -- Yes, but as I have said, Allen Fine I was uncertain in my mind at that stage whether Allen Fine was a member of the A.N.C. or of S.A.C.T.U. So it would be understandable that I would be thinking of him in that context. (20)

When did you find out that he worked for S.A.C.T.U.? -- With his trial.

Is that the first time? -- Yes.

And that is about 2 or 3 weeks ago? -- Correct.

If you are not sure whether any of these people were formally linked, if it was merely a suspicion, why do you say in your document "they were formally linked?" Why do you not say: "I think they may be formally linked?" -- Because I was not intent on being so absolutely definite with a document that was going to the A.N.C. I would know that the A.N.C. (30) would know exactly what the position was, but they would understand ...

understand that I might have good reasons to believe as such, but that they themselves would be able, it would be a simple procedure for them to check whether they were members or not.

So this document could not have misled the A.N.C.? -- No, it could not have misled the A.N.C.

Although the statement is not quite correct. -- Although the statement is not quite correct, they would have the information at their disposal.

Now which of these comrades were loyal to the A.N.C.? -- Might I define what I mean by loyal to the A.N.C., because I (10) might be doing certain people injustice? What I mean by loyal is someone who has an admiration, for reasons of their own, to the A.N.C. for reasons which they themselves have selected.

It would be people that can be trusted by the A.N.C.? -- No.

Please give us the names then? -- They would be the same names that I have mentioned now.

Only those 5 names? -- Yes.

No one else? -- In this reference I would say no one else, no.

So you did not work with any other people that were (20) loyal to the A.N.C. inside South Africa? -- I did not work with any people who were loyal to the A.N.C.?

To the A.N.C. inside South Africa. -- No, the context in which I have written this that I am writing here, I am saying I am relying for the bulk of my political guidance and activity on comrades loyal to the A.N.C. In that sense I am not saying that these are the only people that I worked with ever who had some kind of admiration for the A.N.C., but I am talking about those people specifically who I relied on for the bulk of my guidance. (30)

What type of guidance did you get from Cedric de Beer? -- You mean ...

mean in what ...

In the sense that you refer to here. I am just referring to what you have said here. -- The kind of guidance I would get from Cedric de Beer would be, let me see, there was at one stage an idea that the white labour should start a political party. I would speak to Cedric and I would ask him and we would discuss it through. It would be that kind of guidance.

No, no, but how would he guide you? I mean to discuss something with someone does not mean to guide him. Now how did he give you guidance? -- I am not using guidance in the (10) sense of someone leading me. I am giving guidance in the sense of someone who can lead me in my thinking, who can play the role of - how can I put it - devil's advocate sometimes, of someone who can provoke and stimulate my thinking.

So did he do that? -- Yes, he did.

And his guidance in this sense related to your political activities, is that right? -- His guidance?

Related to your political activities? -- And to personal things as well, yes.

What type of guidance did you get from the other persons, (20) Anderson, van Heerden, Fine and Smithers? -- With Anderson, for instance guidance on the Colgate boycott, that was one of the things, whether it was an advisable thing to call a boycott before a strike had been declared.

Van Heerden? -- Van Heerden I would get guidance on the questions of democracy and what is a democratic organization.

And Smithers? -- Smithers I would get guidance on his experience in co-operatives.

Fine? -- Fine I would get, I remember, guidance specifically say on the issue of Wilson Rowntree's, whether we should sup- (30) port the Wilson Rowntrees call for a boycott or not.

Now you ...

Now you say that you relied on them for the bulk of your political guidance and activity. What do you mean by the bulk? -- I am referring to the work, the bits of work that I have referred to already, as opposed to my A.N.C. work and the instructions that I received from the A.N.C.

What is the ordinary meaning of the word "bulk?" -- The majority of my political work.

Is that right, that you relied on those people for the majority of your work? -- Yes.

Did you regularly consult with these people? -- Yes, I (10) did.

If you go down on page 5, the third paragraph, the second sentence, you say: "At certain intervals the activist sends a progress report, consults with outside on major policy directions, but continues to rely on comrades closely connected to him for the bulk of strategising and policy directions." -- Yes.

That would convey the same idea that you have explained? -- No.

Now what would that mean then? -- I am referring here, (20) I am outlining in a hypothetical way in which people working for the A.N.C. could operate in their relationship to the forward area and I would say that when I am saying "continues to rely on comrades closely connected to him, " I would say that would be a cell of A.N.C. people.

Were you a member of a cell? -- No.

If you turn over to page 6, towards the bottom of that page you say, it is about three-quarters down: "My relationship to A.N.C. has already been exposed to one comrade." Would that be Allen Fine? -- Sorry, I am just not with you. Is that the (30) one where I say we visited together?

Yes ...

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